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THE

LIFE

Of her late MAJESTY

Queen *ANNE*,

As well before her ACCESSION to the THRONE as after.

TOGETHER WITH

All the Tranſactions of her Reign, relating either to the Proceedings of Parliament or Convocation, to Peace or War, the Union of the two Kingdoms, and ſuch other Events as are requiſite to render her Hiſtory complete.

WHEREIN

Her Conduct during the laſt Four Years of her Reign is not only vindicated, but ſhewn to be moſt Beneficial and Glorious to *Europe* in general, and to her own Kingdoms in particular.

As Rome *of old gave Liberty to* Greece,
ANNA *th' invaded ſinking Empire frees.*
Th' Allies her Faith, her Pow'r the French *proclaim,*
Her Piety th' Oppreſs'd, the World her Fame.

D. DEVON.

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THE TITLE

PREFACE



THE

PREFACE
TO THE
LIFE
Of her late MAJESTY
Queen *ANNE.*

TO comply with Custom, something by way of Preface must precede the Work; tho' the bare Mention of the Name of this Great PRINCESS, is abundantly sufficient to fix the Attention of every *Briton.*

For this is that QUEEN who rescu'd the *Empire* and the neighbouring Nations from impending Ruin; and reduc'd the Power of *France* within due Bounds.

'Twas She, who after a long Series of Conquests (which unhappily inspir'd her Allies with Views no less ambitious than the Enemy she had humbled) knew how to sheath the Sword, speak Peace to jarring Nations, and command a general Calm.

This was that truly Christian PRINCESS, who abhorred the sacrificing Men and Christians to Interest or Ambition; who never cou'd endure the Thoughts of War, but when the Defence of her own People, or the relieving injur'd Nations, made it necessary: The making new Conquests, the enlarging their Dominions, was no Excuse, she held, for Christian Princes prodigally to throw away their Subjects Lives, and sheath their Swords in one another's Bowels.

This is that QUEEN, ye *Britons*, who was so far from enriching her self at your Expence, that she annually contributed out of her own Revenue, to ease you of the Burthen of the War.

And how must every true Son of the Church reverence her Memory, who bestowed one of the best Flowers remaining in the Crown, *the First-fruits and Tenths*, upon her Clergy; who extended her Bounty to the Episcopal Churches of *Scotland* and *Ireland*, and even to those planted in the remotest Parts of her Dominions in *America*?

And was it not her generous Example that check'd, and kept within some Bounds, that accurs'ed,

accurſed, envetous, ſelfiſh Spirit, that has of late made ſuch Ravages amongſt us? The Fate of God's own People was generally determin'd by the good or bad Lives of their Princes: And may we not reaſonably ſuppoſe, while pious ANNA reign'd, Heaven willingly ſuſpended theſe dire Effects of its Vengeance on a guilty Land? But to proceed: This QUEEN reſtor'd the *Britiſh* Synods to their ancient Rights, laid the Foundation of new Churches, encourag'd the erecting Schools for training up Children in the Principles of Virtue and Religion, and, by her bright Example, and unwearied Application, did more towards reforming a degenerate World, than all the Princes her Contemporaries.

But even this PRINCESS was not entirely exempted from Detraction: Her exalted Virtue, which upbraided the impious Age ſhe liv'd in, naturally drew on her the Rage and Malice of every Enemy to God and Goodneſs. And ſuch was their Confidence, ſuch the Aſſurance with which theſe Wretches vented their ill-grounded Calumnies, that well-meaning Men, who had not Leiſure or Opportunity to examine into the Truth of Things, were ſometimes impos'd on by them. The principal Deſign therefore of this Undertaking, is to ſet her MAJESTY's Actions in a true Light: And theſe Gentlemen will be ſurpriz'd to find, that little more was requiſite to vindicate her Me-

mory in every Inſtance, and make her appear the moſt glorious PRINCESS that ever grac'd the *Britiſh* Throne, than the laying the ſeveral Tranſactions of her Life and Reign fairly before them.

And as much as Peace, and all the bleſſed Conſequences of it, are preferable to War and Devaſtation; as much as the Difficulty of prevailing with the Princes of *Europe* to lay down their Arms while they were flush'd with Victory, was a harder Task than the perſuading them to take them up; ſo far we ſhall be chelin'd to acknowledge the latter Part of her MAJESTY's Reign more glorious than the beginning. And, oh! had ſhe but liv'd to improve and cultivate that Peace, which with ſuch infinite Labour ſhe accompliſh'd, how might we have hop'd to have ſeen Religion flouriſh, our Trade extended, and the People eas'd of all thoſe Burthens a long War had brought them under, and conſequently ſuch another Scene of Plenty opening to our View, as diſplay'd it ſelf in the Reign of her Royal Grandfather King CHARLES the Firſt, before factious Men had unhing'd our well-pois'd Government, and laid the Foundation of all thoſe Miſeries we at this Day feel?

And this leads me to enquire into the Alteration our Conſtitution has receiv'd during that Period of which I write: (and ſurely this is not only allowable, but commendable, ſince we are oblig'd to ſwear to it.) That

this Monarchy was once Hereditary, ſeems pretty evident, in that we do not find three of our Kings, from the Conqueſt to the Revolution, but either had, or pretended to have, an Hereditary Right. And whether this does not almoſt amount to a Demonſtration that they *ought* to have had it, let the World judge. Why ſhould any Man pretend to be next Heir to an Eſtate, unleſs that gives him a Title to it?

But at the Revolution, a Title by Deſcent was held to be utterly defeated by *Male-Adminiſtration*: This, it was reſolv'd, amounted to a formal *Abdication of the Government*. And they held farther, That in ſuch a Caſe, the Crown did not deſcend to the next in Blood, but devolv'd upon the collective Body of the People, who might diſpoſe of it as they thought fit.

Accordingly they ſettled it firſt upon the Prince of *Orange* for Life, then upon the Princeſs, and, after her Deceaſe, upon the Iſſue of their two Bodies, Remainder to the Princeſs ANNE, and her Iſſue, Remainder to the Iſſue of the Prince of *Orange*. And in Default of ſuch Iſſue, it was afterwards limited to the Princeſs *Sophia*, and the Iſſue of her Body, being Proteſtants, and marrying Proteſtants; and of this Succeſſion, many of the Princes of *Europe* are become Guarantees. And by this means the Succeſſion ſeems to be ſo well eſtabliſh'd, that it may bid Defiance to all Whig Principles;

neither the Cry of *Tyranny* or *Popery* can ever be able to ſhake it. The Terms *Abdication*, and *Male-Adminiſtration*, are become uſeleſs, and therefore I bid theſe Gentlemen and their Principles heartily farewel.

As to the ſeveral Facts related in this Hiſtory they will be found to be ſupported by the beſt Authorities, and I hope the Deductions from them are juſt and natural; but if I am miſtaken in any Point, I ſhall take it as a particular Favour to be ſet right, a full Diſcovery of the Truth being what I principally aim at. And let ungrateful Men ceaſe to calumniate her ſacred MAJESTY, whoſe whole Reign appears to be but one continued paſſionate Endeavour to promote the Honour and Happineſs of her People, and the Good of all Mankind. And ſince I may challenge her greateſt Enemies (if ſhe can ſtill have any) to produce one Inſtance wherein her Conduct can be call'd in Queſtion, unleſs in her repeated and unparallel'd Indulgence to themſelves, I am encourag'd to hope we ſhall, for the future, gratefully unite in offering Incenſe to her pious Memory, who was as great an Ornament and Bleſſing to theſe Kingdoms, as any of the Princes her illuſtrious Predeceſſors.

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THE

THE LIFE OF Queen *ANNE.*

VOL. I.

The INTRODUCTION.

THE Man, who relates the Hiſtory of his own times, ought to proceed with a more than common diſcretion and judgment, to preſerve himſelf from partiality and ſervile flattery on one hand, and from every thing that may render him obnoxious to the

powers in being on the other. *The dread of theſe has depriv'd the world of many important truths.* And 'tis judg'd almoſt impracticable to treat juſtly of what our eyes have ſeen. I own 'tis extremely difficult; but were it poſſible for him who undertakes the taſk not to be over-aw'd by the great, or biaſſed by his affections, it muſt be admitted he has better opportunities of being informed, than one who treats of diſtant times; the leſs we receive at ſecond-hand, the more likely are we to arrive at truth. And whoever conſiders upon what ſlender evidence our hiſtorians impoſe many facts of the preceding age upon us as unconteſted truths, which they glean only from ſecret hiſtories, as they are call'd, or ſome ſuch ſcandalous pamphlets as pretend to no manner of proof for what they advance, and only obtain credit with the vulgar from that malicious pleaſure they take to ſee great men traduced, will eaſily admit that a Hiſtory, wrote at any diſtance of time, is more liable to error than one written by a cotemporary. There you have not only the miſtakes of the writer, but the errors of thoſe from whom he receives his information added to them; but where an error is committed by one who writes the Hiſtory of his own times, it is much eaſier examined and refuted; and as he will no doubt be called upon to juſtify himſelf if he appears to have been partial, ſo he will have an opportunity of ſupporting what he ſhall advance; and thus the world will be moſt likely to come at a diſcovery of the truth in doubtful caſes, *always provided our Governors ſtand neuter.* And have we been contending for Liberty and Property above theſe thirty years, and can it be ſuppoſed that we have not all this while obtained the liberty of ſpeaking truth? Indeed, had we lived in ſome deſpotick

reigns, when nothing was admitted to the press but what was dictated by the Court, a man might have trembled to have made an observation of his own, tho' never so just: but now when free-thinking, or, more properly, freedom of speech, even in sacred things, is so far from being restrained that it meets with all encouragement; and when nothing is deemed a surer mark of slavery than the being debarred the liberty of communicating our thoughts in print, a native of this Isle, where liberty is said to dwell, surely may be allowed to make his observations on a reign he lived in; a reign so full of wonders, (as the two Houses have observed) so fraught with variety of great events, no age or reign cou'd ever parallel. Thus much I thought necessary to premise by way of introduction to a work of this nature; but I might want an apology shou'd I detain my reader longer, and therefore, without more ceremony, I shall enter upon the arduous task.

The Princess Anne's immediate Ancestors.

THIS great Princess, whose Life is the subject of the ensuing History, descended from a race of Kings the most ancient of any in *Europe*; but her more immediate ancestors were King *James* I. her Great Grandfather, in whom the two Crowns of *England* and *Scotland* were first united (tho' the compleating that Union was reserved for her own auspicious reign.) King *Charles* I. was her Grandfather, who is now universally acknowledged to have been the most virtuous Prince that ever filled the *British* Throne, and her Father King *James* II. while he was ours (before he was reconciled to *Rome*, for which we may thank the saints of the last age, who drove him from his inheritance to

take ſhelter among Princes of another Communion) makes as great a figure in Hiſtory as any of the Princes of his time. But to be a little more particular, the Princeſs *Anne* was ſecond Daughter of *James* Duke of *York* (afterwards King *James*) by Mrs. *Anne Hide*, eldeſt Daughter of *Edward* Earl of *Clarendon*, ſo well known by the title of Chancellor of the *Exchequer*. The Duke was married privately to this Lady during his firſt exile, in the year 1659, and upon that great turn of affairs at the Reſtoration, there did not want thoſe who wou'd have had him deny'd his marriage, ſuggeſting the advantages he might make by another choice, but he cou'd never be brought to liſten to that advice; and in the year 1660, ſhe was, by an Order of Council, declared Ducheſs of *York*, and to have the precedency of the Princeſs of *Orange*, and the Queen of *Bohemia*. It appears, that the Queen Mother was not well pleaſed with this match, and King *Charles* was forced to uſe a more than ordinary importunity to perſuade her to permit the Ducheſs to come into her preſence. This ſtrangeneſs poſſibly proceeded from the Queen's averſion to the Chancellor her Father, who generally oppoſed the Queen's Schemes for advancing the *French* intereſt. The Ducheſs was a Lady of a very fair character, and a conſtant member of the Church of *England* 'till her laſt long indiſpoſition, when ſhe was prevailed with to reconcile herſelf to the Church of *Rome*, to the great grief of her Father, who expoſtulated with the Duke as well as herſelf upon that ſubject, in two very moving Letters.

The Duke of York's *marriage with Mrs.* Hyde *her Mother.*

The Ducheſs of *York* died at the Palace of St. *James*'s on the 31ſt of *March*, in the year 1671. She had iſſue by the Duke four Sons and four Daughters, *viz. Charles*, born *October* 22, 1660.

The Ducheſs of York's *death and iſſue.*

1660. *Mary*, born *April* 30, 1662. *James*, born *July* 12, 1663. *Anne*, born *February* 6. 1664. *Charles*, born *July* 4, 1666. *Edgar*, born *September* 14, 1667. *Henrietta*, born *January* 13, 1668. and *Katherine*, born *February* 9, 1670. of whom *Charles*, *James*, *Charles*, and *Henrietta* died in her life-time, and *Edgar* and *Katherine* did not ſurvive her a year; but her two Daughters, *Mary* and *Anne*, lived to be Queens of *England*. The Princeſs *Mary* was about nine years old at the death of her Mother, and the Princeſs *Anne* about ſeven.

Before I proceed in the Hiſtory of this Princeſs, give me leave to cite a paſſage or two out of Mr. *Echard*, relating to her Grandfather the late Earl of *Clarendon*, which ſufficiently vindicates the memory of that great Man from thoſe aſperſions that were unjuſtly caſt upon him, *viz.* The marrying King *Charles* II. to the barren Infanta of *Portugal*, and the ſale of *Dunkirk* to the *French*; two things in reality he moſt oppoſed. His words are as follows: *Echard's* Eng. Hiſt. p. 800. laſt Edit.

Earl of Clarendon vindicated from marrying King Charles II. to the Infanta of Portugal, and ſelling of Dunkirk.

One conſiderable obſtacle [*to the match with* Portugal] was the Lord Chancellor *Hyde*, without whoſe knowledge this treaty was begun, and without his approbation it was concluded; therefore he endeavoured to overthrow it while it continued in any balance. It is true, he did for ſome time come into the general meaſures then on foot, till he made ſome diſcovery of the probable conſequences of the marriage. Therefore, upon one *Sunday*, he begg'd of his Majeſty to call a Secret or Cabinet Council in the Red Chamber in *Whitehall*; to which the King immediately conſented. At this Council, by the Chancellor's management, none were preſent but the King himſelf, the Chancellor, the Lord

Treaſurer *Southampton*, and the Duke of *Ormond*. The Chancellor acquainting the King with the occaſion of his having deſired this private meeting, ſaid, That he had hitherto, in obedience to his Majeſty's order, chearfully gone on with the marriage treaty without regarding what the *Spaniſh* Ambaſſador had to object againſt it, which he conſider'd as coming from an enemy; but that now he had certain information that this match, if concluded, would bring ſuch a calamity upon the Nation as he was ſure his Majeſty would prevent, if it were poſſible; for he had now undoubted proofs that the Infanta of *Portugal* was not capable of having Children. He then produced a liſt of ſix Princeſſes, all Proteſtants, out of which his Majeſty might chuſe a fit and proper Wife. But the King frowning and ſwelling, anſwer'd, That this was all a lie of the *Spaniſh* Ambaſſador, adding, My Lord, I command you to go on with this treaty; and ſo the meeting broke up. This incapacity of having Children was publickly talked of among the *Engliſh* Merchants at *Liſbon* before this Princeſs left the place, and they remonſtrated the ſame to the Earl of *Sandwich* when he came to bring her to *England*. Of this incapacity Sir *Robert Southwell* was fully aſſured afterwards by the Ducheſs of *Guadiloupa* at *Madrid*, a Lady who had been acquainted with her from her infancy and in her nurſery. But this is not to be imputed either to her age or her country, but to ſome peculiar infirmities of body; and it is manifeſt from the teſtimony of ſome Ladies about her, that ſhe was in a child-bearing condition till after the King's death, which was twenty two years after her marriage.

Another

Another effect of this marriage was the ſale of *Dunkirk*, which happened not long after the conſummation of it, of which the foundation was laid by the very treaty itſelf. For the *Portugueſe* had ſo far prevail'd, that by the nineteenth article of the ſaid treaty it was expreſly ſtipulated, that *Dunkirk* ſhou'd never be parted withal to the *Spaniard*, which gave *France* a fair opportunity to cloſe with the King, and to make a bargain with him at a time when he wanted ready money for the extraordinary expences of this year, and particularly the payment of his Siſter's portion. Many reaſons were urged for the parting with this important place, and the firſt motive to the King, as I am aſſured by a knowing man, was the great expence in keeping of it, which *Rutherford* the Governor had encreas'd to an exorbitant degree ſince the diſmiſſion of Sir *Edward Harley*. And the Earl of *Sandwich* particularly alledg'd to his Majeſty, that the coaſt was generally ſo tempeſtuous, and the grounds ſo rowling upon every ſtorm, that there wou'd never remain a certain ſteerage to that Port. Theſe, and other reaſons, being alledg'd in Council, tho' oppos'd by Chancellor *Clarendon*, and Treaſurer *Southampton*, the King was content to deliver up the Town and Port of *Dunkirk*, with all the ordnance and ammunition, for the ſum of five hundred thouſand pounds ſterling, one half to be paid down, and the other in a ſhort time after. Several books were written in vindication of this ſale, ſhewing how uſeleſs the place was to *England*, unleſs millions of money were expended upon it; and at this time we do not find many complaints againſt either this or the *Portugal* match. But when the ill effects of both began afterwards to appear, as the increaſing power of *France*,

and the Queen's want of iſſue, great outcries were made, and Chancellor *Hyde* was unreaſonably charg'd with the ſcandal of both, when he was really free from the guilt or rather misfortune of either.

It may not be amiſs here to add the character of the Duke of *York*, Father of this great Princeſs, before he aſcended the Throne, as it is given us by a modern writer, and I don't find any particular of it conteſted by any of our hiſtorians of credit. It is as follows:

The Duke of York's *Character.*

The Duke of *York* (ſays he) employed his youth in the continual exerciſe of arms; he had always apply'd himſelf to it from the age of nine years, when he was with his Father at *Edge-hill* fight, till the age of twenty-ſeven, when he returned into *England* with his Brother. His genius led him that way; he valued any opportunity of ſignalizing his courage above the greateſt political advantages. This is both commendable and blame worthy. I know not whether the Duke deſerved the blame, but all *Europe* was convinced that he was worthy of the praiſe; and the commendations given his valour by the Prince of *Conde* and Marſchal *Turenne*, thoſe two great Maſters of the Art of War, will remain his eternal Monuments.

He gave freſh proofs of it in the war the King his Brother declared againſt the States of *Holland*, in the year 1665; and the victory he gained over them at Sea ſhewed the Duke to be as good a Commander in chief as he had been Officer and Soldier. Two and twenty of the Enemies Ships were then taken, burnt or ſunk by the *Engliſh*: *Opdam* the *Dutch* General periſhing there in his. That Fleet had been totally deſtroyed, had not one *Bronkard* of the Duke's Bed-chamber prevented the execution

of his orders the very night after the victory; the Duke lay down to take a little reſt, after giving orders to make all ſail, and keep up with the remainder of the broken Navy. That Gentleman, who was none of thoſe that value their honour above their life, told the Captain he was too laviſh in expoſing the Heir of the Crown, and counterfeited another order from him for ſlackning ſail; which was unadviſedly done. He was diſgraced, and the Parliament would have brought him to a trial; but he was diſcarded: and that Aſſembly, in the name of all the Nation, made a publick acknowledgment to the Victor of the ſervice he had done the Kingdom, aſſigning him, by an Act ſtill preſerved among the Records, a gratification of Fifty thouſand pounds.

This victory having added new luſtre to the Duke of *York*, he was in the happieſt and moſt agreeable condition a Prince of his degree could be: He had an eſtabliſh'd reputation not only in *England*, where they look'd upon him as the ſupport of the Nation, but throughout all *Europe*, where he was regarded as one of the Princes of his time, who beſt maintained the grandeur of his birth by his perſonal merit. He enjoy'd moſt of the great places of profit and honour, was Lord high Admiral of *England*, and Governour of the Cinque Ports, and of *Portſmouth*: He having Children, and the King none, abundance of people follow'd him as the Heir to the Crown, which was to paſs away to his Head and remain in his family; and what made this the happier, the King was not jealous of him: His Majeſty being fully convinced of his affection to him, look'd upon that Prince's Court as the moſt loyal part of his own, and thought he had no ſurer friends than the Duke of *York*'s.

I am

I am ſenſible ſome Politicians thought ill of it, and err'd with thoſe who to be thought to ſee farther into myſteries of ſtate than others, do report whatſoever they imagine, and not what really is. The truth is, that the King never had any jealouſy of the Duke, and that the Duke from his infancy ever behav'd himſelf ſo ſubmiſſively towards the King, that he had no occaſion to ſuſpect him: a thing very rare between two Brothers of that rank, and in a Court ſo full of reſtleſs and factious ſpirits as that of *England* has long been. By this it appears, that all parties equally made intereſt to the Duke of *York*, and that whatſoever way he leant, the balance inclin'd. This was the Duke of *York*'s condition, and thus were men's minds diſpoſed towards him, when a jealouſy ſpread abroad of his being a *Catholick* in his heart, tho' he ſtill outwardly appear'd as a *Proteſtant*, beginning to withdraw the affections of men from him, gave the firſt ſhock to his proſperity.

He is allow'd by all to have been a kind Huſband, and an indulgent Father; and if we may believe his old Proteſtant Servants, he was the beſt of Maſters: Thus much as to his character while he was a Subject, we may venture to ſay; what he was as a King, it may be too early to examine. I ſhall only add here part of the Speech of the Speaker of the Houſe of Commons, on his preſenting the Bill to his Majeſty King *Charles* II. wherein the gratuity of 50000 *l.* was given to the Duke, *viz.*

And it is not the leaſt mercy both to your Majeſty and your people, that God hath bleſſed you with a Brother ſo like your ſelf.

The name of his Royal Highneſs is already inrolled amongſt the Heroes of other Nations; but this his native Country had not ſo great experience of him, till your Majeſty was pleaſed

in

in this ſummer's expedition to truſt him with the conduct of the moſt royal Fleet that ever ſail'd upon the *Britiſh* Seas; wherein he ſhew'd that proweſs and that prudence, and by the bleſſing of Almighty God was crown'd with that ſucceſs againſt the *Dutch*, that we cannot paſs it by in ſilence; and yet we are at a loſs how to expreſs our thanks both to your Majeſty and to him. I am commanded therefore to beſeech your Majeſty that you will vouchafe to let us make a preſent to you of a month's tax to come in the rear, after the four and twenty months of your Majeſty's royal aid, and that your Majeſty will be pleaſed to beſtow it upon his Royal Highneſs.

Duke of York's *ſecond marriage to the Princeſs of* Modena.

In 1673, his Royal Highneſs married the Princeſs of *Modena*, *Mary D'Eſte*, daughter of *Alphonſo D' Eſte* Duke of *Modena*, and Siſter to *Francis* the then Duke. She came to *England* with her Mother the Ducheſs Dowager by the way of *Paris*, attended by a numerous retinue: She arriv'd at *Dover* the 21ſt of *November*, where ſhe was received by his Royal Highneſs, and the Marriage ſolemniz'd the ſame day; her Royal Highneſs being then about fifteen years of age. The Duke had iſſue by this Princeſs, *Charles*, *Katherina Laura*, *Iſabella Charlotte Maria*, *James Francis Edward*, and *Loviſa Maria Tereſa*; of whom none are living but *James*, now ſtil'd the Pretender.

His iſſue by her.

Some account of the Princeſs Anne *during her Minority.*

The Princeſs *Anne*, whoſe Hiſtory I attempt, was born at the Palace of St. *James*'s, on the 6th of *February* 1664. In the year 1669, ſhe went into *France* for the recovery of her health, which having pretty well eſtabliſh'd, ſhe return'd to St. *James*'s, where ſhe reſided with his Royal Highneſs till he went into *Holland* in the year 1678. The Nation it ſeems had entertain'd ſuch a jealouſy of that Prince upon the account of his Religion,

Religion, and especially since his marriage with the Princess of *Modena*, that they would be content with nothing less than his banishment; and thereupon the King on the 28th of *February* 1678, sent him a Letter to withdraw, and his Royal Highness with his family accordingly set sail for *Holland*; where he arriv'd the 12th of *March*: He was receiv'd at his landing by his Son-in-law the Prince of *Orange*, (who the year before had married the Princess *Mary*) and conducted to the *Hague*, and from thence after a short stay, his Royal Highness with his family remov'd to *Brussels*, where he had resided some time in his former exile. Here I find the Princess *Anne* had her own Protestant Chaplains allow'd her, and a place assign'd for the exercise of her devotions, according to the Church of *England*. Nor was she at all importun'd to go or ever went to Mass with her Father, as I have been assur'd by her Protestant Servants who attended her there, but the family liv'd in a perfect harmony, as if there had been no manner of difference between them in point of Religion; which appears very strange if his Royal Highness was that zealous bigotted Prince as he is represented to be. For where cou'd he have had greater opportunities of prevailing with his Daughter to have come over to the Church of *Rome*, than in a country where that Religion is establish'd?

Duke of York *and family reside at* Brussels.

The Princess Anne *had her own Protestant Chaplains there.*

In *August* 1679 the King falling dangerously ill, of which the Duke's friends soon gave him advice, he return'd to *England*, and arriv'd at Court, to the surprize of the whole Nation, the 2d of *September*. The King being recovered, to quiet the minds of the people, it was thought expedient his Royal Highness should again be removed some distance from Court; and accordingly their Royal Highnesses, on the 12th of *October*, set

The Duke of York *sent to*

ſet out for *Scotland*, whither his Daughter the Princeſs *Anne* went by Sea ſome time after, to make her Father a viſit. Such was her filial reſpect to a moſt indulgent Father, that ſhe was ready to attend him where-ever the malice of his enemies cou'd drive him.

Scotland, whither the Princeſs Anne *follows him.*

The latter end of *January* 1679, his Majeſty declared in Council, that he had ſent for his Royal Highneſs again, not having found ſuch an effect from his abſence as ſhou'd incline him to keep him longer from him. And the 24th of *February* following the Duke and Ducheſs, and their family, return'd by Sea to *London*. Two Days after they were attended by the Lord Mayor, the Court of Aldermen, and Common Council, to congratulate their ſafe arrival.

From this time the Princeſs *Anne* reſided with his Royal Highneſs her Father at the Palace of St. *James*'s until ſhe married; and in this interval it was his preſent Majeſty King *George* came over into *England* to make his addreſſes to her, but not ſucceeding he returned home. About the middle of *July* 1683, his Royal Highneſs Prince *George*, Brother to the then King of *Denmark*, came over upon the ſame deſign, and met with better ſucceſs; for upon the 28th of the ſame month, being St. *Anne*'s day, he was married to the Princeſs, to the ſatisfaction of the whole Nation, as well as the King and his Royal Highneſs. It has been ſuggeſted, that her Father was againſt this match, and yet theſe people tell us at the ſame time, that the King was under the influence of the Duke. Now if this was contrary to the inclinations of the Duke, where was that influence? Or did he influence his Majeſty only in trifles, and ſubmit to him in every thing of moment? But the truth is, the King and his Royal Highneſs had lately obſerved the

The Prince of Hanover *makes his Addreſſes to the Princeſs* Anne.

She is married to the Prince of Denmark.

the whole Nation in a moſt violent ferment, and were at this very time examining into a formidable Conſpiracy that was ſet on foot on pretence of Religion: And what in all humane probability cou'd have better ſecur'd the one in his poſſeſſion, and the other in his expectations of the Crown, than marrying the two Princeſſes, *Mary* and *Anne*, to two Proteſtant Princes? For had the Nation been ſo far blinded by fanatick rage to have depoſed the Uncle, and excluded the Father, yet it could not be ſuppoſed they would ever paſs by theſe. And as theſe Princeſſes had ever been well uſed at Court, and had always expreſſed the greateſt duty and affection to their Father, it was reaſonably apprehended that they would have aſſiſted him to their power in preſerving or reſtoring him to his juſt rights. And thus much I believe all the world will agree with me in, that nothing leſs than the preſervation of their Religion, and the publick good cou'd have induc'd them to have deſerted ſo kind a Father in his diſtreſs. But theſe are held to be motives ſuperior to all private conſiderations.

And here we cannot but obſerve how Providence ſometimes turns our beſt laid Schemes againſt us. For notwithſtanding all the errors of King *James*'s reign, and all thoſe calamities that were apprehended to be coming upon us, had his Daughters ſtood neuter, our endeavours to extricate our ſelves wou'd probably have prov'd ineffectual. Not that I ſuppoſe either of theſe Princeſſes cou'd enter into meaſures to depoſe their Father. The ſecurity of Religion and Property was all that was at firſt pretended, or I believe thought of by moſt, when the Prince of *Orange* embarked for *England*; (ſome few poſſibly might have deeper deſigns) but one event produced another not thought of before;

and

and as times alter'd, our principles veer'd with them, till at length we arriv'd at this preſent happy ſettlement we are under. And this leads me to ſay ſomething of the ſhare the Princeſs *Anne* had in the Revolution.

The ſhare the Prince and Princeſs of Denmark had in the Revolution.

As has been obſerved, the avowed deſign of the Prince of *Orange*'s coming over was only to ſecure our Religion and Properties. He ſays himſelf in his Declaration, that he carried over with him ſuch a force as might defend him from evil counſellors; and that his expedition was intended *for no other deſign* but to have a free and lawful Parliament, and that to this Parliament *he wou'd refer the enquiry into the birth of the pretended Prince of* Wales, *and of all things relating thereto, and to the right of ſucceſſion*; and promiſed he would ſend back all his foreign troops as ſoon as the ſtate of the Nation wou'd admit of it; and he required all perſons whatſoever to aſſiſt him in theſe deſigns; and I don't doubt but the Prince of *Denmark*, as well as the generality of the people, was very ready to join with him and aſſiſt him in theſe deſigns; for at this day it ſeems to be the receiv'd opinion, that the people in this limited Monarchy may as lawfully ſtand up in defence of their legal rights (amongſt which the eſtabliſh'd Religion is accounted one) when they are univerſally invaded, as the Prince may in defence of his prerogative. But all who concur in theſe principles do not think the Prince ſo far accountable to the people, that they may depoſe him for every miſmanagement, and diſpoſe of the Crown at pleaſure. And this, I believe, will be pretty evident by the three following Letters, written by the Lord *Marlbro'*, and the Prince and Princeſs, on their going over to the Prince of *Orange*.

The

The Lord *Malbro'*, it ſeems, deſerted his Majeſty at *Saliſbury*. The Prince left him at *Andover*; and the Princeſs went away from *Whitehall* the 25th of *November*, being the Day before his Majeſty returned to *London*. 'Tis ſaid his Majeſty being acquainted with her going away, the tears fell down his cheeks, and he cry'd out, *God help me, my own Children have forſaken me.*

Lord Churchill's *Letter to* K. James, *when he deſerted him.*

SIR,

SInce men are ſeldom ſuſpected of ſincerity when they act contrary to their intereſts; and tho' my dutiful behaviour to your Majeſty in the worſt of times (for which I acknowledge my poor ſervices much overpaid) may not be ſufficient to incline you to a charitable interpretation of my actions; yet I hope the great advantage I enjoy under your Majeſty, which I can never expect in any other change of Government, may reaſonably convince your Majeſty and the world, that I am acted by an higher principle when I offered that violence to my inclination and intereſt as to deſert your Majeſty, at a time when your affairs ſeem to challenge the ſtricteſt obedience from all your ſubjects, much more from one who lies under the greateſt obligations imaginable to your Majeſty. This, Sir, could proceed from nothing but the inviolable dictates of my Conſcience, and a neceſſary concern for my Religion (which no good man can oppoſe) and with which I am inſtructed nothing ought to come in competition. Heaven knows with what partiality my dutiful opinion of your Majeſty has hitherto repreſented thoſe unhappy deſigns, which inconſiderate and ſelf-intereſted men have fram'd againſt your Majeſty's true Intereſt and the Proteſtant Religion.

But

But as I can no longer join with such to give a pretence by conquest to bring them to effect, so I will always, with the hazard of my life and fortune, (so much your Majesty's due) endeavour to preserve your Royal Person, and lawful Rights, with all the tender concern and dutiful respect that becomes, &c.

SIR,

The Prince of Denmark's Letter to the King when he went over to the Prince of Orange.

WIth an heart full of grief am I forced to write what prudence would not permit me to say to your face, and may I e'er find credit with your Majesty, and protection from Heaven, as what I now do is free from passion, vanity, or design, with which actions of this nature are too often accompanied. I am not ignorant of the frequent mischiefs wrought in the world by factious pretences of Religion; but were not Religion the most justifiable cause, it would not be made the most superior pretence; and your Majesty has already shewn too interested a sense of Religion to doubt the just effects of it in one whose practices have, I hope, never given the world cause to censure his real conviction of it, or his backwardness to perform what his honour and conscience prompt him to. How then can I longer disguise any just concern for that Religion in which I have been so happily educated, which my judgment truly convinceth me to be the best, and for the support of which I am so highly interested in my native country? And is not *England* now by the most endearing tye become so?

Whilst the restless spirits of the enemies of the reformed Religion, back'd by the cruel zeal and the prevailing power of *France*, justly alarm and unite all the Protestant Princes of Christendom, and engage them in so vast an expence for the

ſupport of it, can I act ſo ungenerous and mean a part to deny my concurrence to ſuch worthy endeavours for the diſabuſing your Majeſty by the reinforcement of thoſe Laws, and re-eſtabliſhment of that Government, on which alone depends the well-being of your Majeſty, and of the Proteſtant Religion in *Europe?*

This, Sir, is that irreſiſtible and only cauſe that could come in competition with my duty and obligation to your Majeſty, and be able to tear me from you; whilſt the ſame affectionate deſire to ſerve you continues in me. Could I ſecure your Perſon by the hazard of my life, I ſhould think it could not be better employ'd: And would to God theſe your diſtracted Kingdoms might receive that ſatisfactory compliance from your Majeſty in all their juſtifiable pretenſions, as might, upon the only ſure foundation (that of the love and intereſt of your ſubjects) eſtabliſh your Government, and as ſtrongly unite the hearts of all your ſubjects to you, as is that of, *&c.*

The Princeſs Anne's *Letter to the Queen when ſhe left* Whitehall.

MADAM,

I Beg your pardon if I am ſo deeply affected with the ſurprizing news of the Prince's being gone, as not to be able to ſee you, but to leave this paper to expreſs my humble duty to the King, and your ſelf, and to let you know that I am gone to abſent my ſelf to avoid the King's diſpleaſure, which I am not able to bear, either againſt the Prince or my ſelf; and I ſhall ſtay at ſo great a diſtance as not to return before I hear the happy news of a reconcilement. And as I am confident the Prince did not leave the King, with any other deſign than to uſe all poſſible means for his preſervation; ſo I hope you will do me the juſtice to believe, that I am not capable

capable of following him for any other end. Never was any one in ſuch an unhappy condition, ſo divided between duty and affection, to a Father and a Huſband; and therefore I know not what to do, but to follow one to preſerve the other. I ſee the general falling off of the Nobility and Gentry, *who avow to have no other end than to prevail with the King to ſecure their Religion*; which they ſaw ſo much in danger by the violent counſels of the Prieſts, who, to promote their own Religion, did not care to what danger they expos'd the King. I am fully perſuaded, that the Prince of *Orange* deſigns the King's ſafety and preſervation, and hope all things may be compos'd without more bloodſhed by the calling of a Parliament. God grant a happy end to theſe troubles, that the King's reign may be proſperous, and that I may ſhortly meet you in peace and ſafety; till when, let me beg you to continue the ſame favourable opinion that you hitherto had of, *&c.*

But we cannot better diſcover the different ſchemes of Government that were projected at the Revolution, and the notions the people had of their Prince's rights, and the allegiance they ow'd him, than by a Letter ſaid to be written by Dr. *Sherlock* to a member of the Convention; which is as follows.

SIR,

I Hear you are elected a member of this next Convention, and therefore expect to ſee you very ſuddenly in town. But I can tell you my mind more briefly in writing, and you may think better of it when you ſee it before you; and therefore I rather chuſe to give you the trouble of this paper, than to leave all to a perſonal conference at our next meeting.

Dr. Sherlock's Letter to a member of the Convention at the Revolution.

I will not diſpute with you about what is paſt, or what is to come; it is too late to do the firſt; and for the ſecond, whatever becomes of other arguments, intereſt is moſt apt to prevail: and therefore all that I beg of you, is to take care that you do not miſtake your own and the Nation's intereſt in a matter of ſuch high concernment.

There is no leſs affair before you than the fate of Princes, and of three Kingdoms, which requires the moſt calm, mature and deliberate advice; and yet when you come to *London* you will find ſuch diſtractions and diviſions in mens councils, that all the threatning dangers of Popery were not a more formidable proſpect to conſidering men. Old animoſities are reviv'd, and new ones fomented every day; ſome were viſibly acted by ambition, others by revenge: the Diſſenters are very buſy to undermine the Church, and the Commonwealthſmen to ſubvert Monarchy; and the Lord have mercy upon us all. I doubt not but you will readily confeſs, that it is the common intereſt to have things ſettled upon ſuch a bottom as is moſt like to laſt; and then I am ſure you muſt conſult both law and conſcience in the matter, and keep to the old eſtabliſhments as near as you can; for when there are ſo many diſtempers in mens minds, and ſuch contrary intereſts, it's no time to innovate; 'tis no time to lay new foundations when there are frequent earthquakes, which will not give them time to ſettle. The revolutions of State have been ſo quick and ſudden of late, that all prudent men will be cautious how they try experiments, which are commonly dangerous and uncertain; but eſpecially in matters of Government, which depends upon the good liking of free and moral agents; and when ſo many hun-

dred thouſands are to be ſatisfy'd, you can never gueſs at the prevailing opinion by the major vote of a Convention.

Let us then conſider what is moſt likely to give the moſt general ſatisfaction to the Nation, for that I am ſure is moſt likely to be laſting; and becauſe you may be a ſtranger to theſe matters, yet I will give you an account of the different projects now on foot, as well as I can learn them. Some are for ſending to the King, and treating with him to return to his Government under ſuch legal reſtraints as ſhall give ſecurity to the moſt jealous perſons for the preſervation of their Liberties, Laws, and Religion; and if he will not conſent to this, to make the next Heir Regent; others are for declaring the Crown forfeited and demiſed, and proclaiming the Princeſs of *Orange*; others will have Government diſſolved, and begin all *de novo*, and make the Prince of *Orange* King, or crown him and the Princeſs together, and poſtpone the title of the Princeſs *Anne* till after the Prince's death, if he ſurvive the Princeſs. I ſhall not pretend to tell you which of theſe I ſhould prefer.

Were it *res integra*, for the queſtion is not which you and I ſhould like beſt, but which will be the firmeſt foundation for the peace and ſettlement of theſe Kingdoms.

And for the firſt, tho' it be horribly deſcried, and ſuch men fooliſhly expoſed as friends to Popery and arbitrary power, yet I could never meet with any one yet who had the face to reject all treaty with the King, upon any other pretence, but that it was in vain, and 'tis impoſſible he ſhou'd give any ſecurity to the Nation that he would govern by law: which is ſo ridiculous a pretence, that it will ſatisfy no body but thoſe who are reſolved that he ſhall never return; for

as little as I am verſed in this matter, I could frame ſuch laws as ſhould put it utterly out of the King's power to invade our Liberties or Religion. However, I am ſure we ſhould have thought our ſelves very ſecure, would the King have called a free Parliament, and given them liberty to have made what laws they pleaſed; and that which would have given ſuch general ſatisfaction before, had it been granted, I ſuſpect, ſhould it now be granted, wou'd give as general diſſatisfaction.

But the refuſal to treat will be thought ſuch a ſcandalous neglect of our duty to a foreign Prince, and give ſuch jealouſies to people, that thoſe who oppoſe it are only afraid the King ſhould comply, as will be the foundation of univerſal diſcontents, which will ſhew themſelves upon the firſt occaſion. It's certain, would the Convention treat with the King, either they would agree, or they would not agree; if they could not agree upon the propoſal of reaſonable ſecurities, this would ſatisfie multitudes of people that they had tried; if they did agree, this would give univerſal ſatisfaction, and there were an happy end of all our troubles.

But now let us ſuppoſe that part of the Convention ſhould prevail which is againſt treating with the King, and for depoſing and ſetting him aſide without any more to do; let us conſider what is like to be the moſt probable conſequences of this.

It is certain this fundamental change in the Government cannot be made by any legal authority, for the Convention will not pretend to any ſuch legal power, and there can be no Parliament without a King; and a King whoſe whole authority depends upon a Convention that has no ſuch authority, is but in a weak ſtate as to civil right;

no

no man will think himſelf bound in conſcience to obey him, and when every man's conſcience is free, let ſuch a Prince beware of epidemical diſcontents: And let you and I calmly conſider what diſcontents may probably ariſe upon ſuch a juncture.

Firſt then, All thoſe who think themſelves bound by their oaths of allegiance to defend the King's Perſon, Crown and Dignity, who wonder at men of law, who talk of a forfeiture or demiſe of the Crown while the King lives, and flies out of his Kingdom only for the ſafety of his Perſon, and becauſe he will not truſt himſelf in the power of his enemies: I ſay, all ſuch perſons will be greatly diſconteated at depoſing the King, and will never own any other King, while their own King, to whom they have ſworn allegiance, lives: And tho' you ſhould ſuppoſe ſuch conſcientious men to be very few, yet if theſe few ſhould happen to be perſons of character, of known prudence and ability, integrity and honeſty in Church or State, their example would give a tolerable ſhock to ſuch a new, tottering Government, tho' they were never ſo tame and peaceable, void of faction and ſedition themſelves.

And yet, let me tell you, you muſt not judge of the numbers of theſe men by the late general defection: The whole Nation, I confeſs, was very unanimous for the Prince, great numbers of Gentlemen, nay, of the King's own ſoldiers, went over to him: Very few but *Papiſts* offer'd their ſervice to the King; but the reaſon of this was very evident, not that they were willing to part with the King, and ſet up another in his room, but becauſe they were horribly afraid of Popery, and very deſirous to ſee the laws and religion of the Nation ſettled upon the old foundation by a free

Parliament; which was all the Prince declar'd for: But many who were well-wishers to this design, will not renounce their allegiance to their King; and now they see what is like to come of it, are asham'd of what they have done, and ask God pardon for it, and are ready to undo it as soon as they can.

Besides a thousand occasions of discontent which may happen in such a change of Government as this, which no body can possibly foresee, and yet may have very fatal consequences; there were some very visible occasions for it, besides the sense of conscience and loyalty: How many discontents think you may arise between the Nobility and Gentry who attend the new Court? Every man will think he has some merit, and expect some marks of favour, to have his share of honour, and power, and profit. And yet a great many more must miss than those who speed; and many of those who are rewarded, may think they have not their deserts, and be discontented to see others preferred before them: And those whose expectations are disappointed, are disoblig'd too; and that is a dangerous thing, when there is another and a rightful King to oblige: For duty and discontent together, to be reveng'd of a new King, and to be reconcil'd to an old one, will shake a Throne which has so sandy a foundation. The like may be said of the soldiery, who are generally men of honour and resentment, and have the greater and sharper resentment now; because they are sensible of their mistakes when 'tis too late: Yet as they ought not to have fought for *Popery*, nor against the laws and liberties of their Country; so neither ought they to have deserted the defence of the King's Person and Crown, but have brought the Prince to terms as well as the King.

Thus

Thus you may eaſily foreſee what a heavy tax muſt be laid upon the Nation to defray the charge of this expedition; and I believe the Country would have paid it very chearfully and thankfully, had the Prince reſtor'd to them their Laws and Liberties, and Religion, together with their King. But you know men are apt to complain of every thing when money is to be paid: And may be it will be thought hard to loſe their King, and to pay ſo dear for it too. And tho' what the Convention does is none of the Prince's fault, no more than it was his deſign; yet angry people do not uſe to diſtinguiſh ſo nicely. But there is a greater difficulty ſtill than all this, there are no contentions ſo fierce as thoſe about Religion: This gave life and ſpirit to the Prince's deſign, and had the main ſtroke in this late Revolution. And tho' *Popery* were a hated Religion, yet moſt men are as zealous for their own Religion, as they are againſt *Popery*. Thoſe of the Church of *England*, who are very glad to get rid of *Popery*, will not be contented to part with their Church into the bargain; for this would be as bad as they could have ſuffer'd under *Popery*. The ſeveral Sects of *Diſſenters* are glad to get rid of *Popery* alſo; but now they expect glorious days for themſelves; and what they expect, God Almighty knows, for I am confident they do not know themſelves. Now conſider how difficult it will be for any Prince who has but a crazy title to the immediate poſſeſſion of the Crown, to adjuſt this matter, ſo as neither to diſguſt the Church of *England* nor the *Diſſenters*; and if either of them be diſoblig'd, there is a formidable party made againſt him: This being the caſe, ſhould the King be depos'd, and any other aſcend the Throne, it will be neceſſary for them to keep up a ſtanding army to quell ſuch diſcontents:

For

For where there are and will be diſcontents, without any tye of conſcience to reſtrain men, there can be no defence but only in power; and this will raiſe and increaſe new diſcontents: For it alters the frame of our conſtitution from a civil to a military Government; which is one of the great grievances we have complain'd of. And I believe *Engliſh* people will not be better pleas'd with *Dutch* or *German*, or any foreign ſoldiers, than they are with their own countrymen. And I believe *Engliſh* ſoldiers will not be extremely pleas'd to ſee themſelves diſbanded, or ſent into other countries to hazard their lives; while their places are taken up by foreigners, who live in eaſe, plenty and ſafety: And when things are come to this paſs, which is ſo likely, that I cannot ſee how the wit of man can prevent it, I ſhall ſuppoſe but one thing more, which you will ſay is not unlikely, that the King return with a foreign force to recover his Kingdoms: How ready will the men of conſcience and the men of diſcontent be to joyn him; nay, to invite him home again? And if he return a conqueror, you will wiſh, when it is too late, that you had treated with him, and brought him back upon ſafe and honourable terms.

Secondly, let us ſuppoſe now, that all this ſhould be over-voted (for I am ſure it can never be anſwer'd) and the Convention ſhould refuſe to proclaim the next Heir.

1. You muſt be ſure to examine well who is the next Heir, that is, you muſt throughly examine the pretences of the Prince of *Wales*; and if you have not good proof of the impoſture, you had better let it alone: For tho' the Nation has had a general preſumption of it, yet a male Heir of the Crown is mightily deſired, and people would be very fond of him if they had one, and ſeem to expect better proofs than mere preſumptions

tions againſt him; becauſe common fame has promis'd a great deal more: And if you ſhould either ſay nothing to it, or not what is expected, it would be a very plauſible pretence for diſcontented people to quarrel.

2. Suppoſe the Princeſs of *Orange* ſhould appear to be the next Heir: what if a Lady of her eminent virtue ſhould ſcruple to ſit upon her Father's Throne while he lives? or what if ſhe ſhould ſcruple it hereafter, and place her Father in his Throne again? This is not impoſſible, for virtue is greater than a Throne. For my part, I think you will put a very hard thing upon ſo excellent a Lady, and I pray God give her grace to reſiſt the temptation. A Regency is more tolerable, becauſe a Nation muſt be govern'd; and none ſo proper to govern it as the next Heir: But I ſhould think none who expect to wear a Crown, ſhould countenance ſubjects in depoſing their King, nor accept of a Crown upon ſuch terms as to take it off of a Father's head. It is a dangerous thing for a Prince who has a title to the Crown, to own that the Crown may be forfeited and demiſed by ſuch a withdrawing: If this be not ſo, the Princeſs has no right to the poſſeſſion of the Crown yet: And if it be ſo, her Crown is worth a great deal leſs than formerly it was, eſpecially if ſhe own this ſecret, by accepting the Crown, which her anceſtors always conceal'd, and which the beſt ſubjects of *England* would not believe before; what they may do after this, I know not.

Thirdly, the next deſign (I verily believe, without the thought or knowledge of the Prince, who has too great a mind to think of any thing which in the opinion of any wiſe man could ſtain and ſully his glory) is to give the Crown to the Prince of *Orange*; for it muſt be a gift, if any thing, for he has no immediate title to it that I know

know of: This is upon a pretence that the Government is diſſolv'd, and therefore we muſt begin *de novo*; which is very ridiculous, when the King is ſtill alive, and the laws in as full force as ever, only the regular adminiſtration of the Government at preſent interrupted by the King's abſence. But this is not the worſt of it, for 'tis a dangerous pretence too, eſpecially to men of quality and eſtates as you are; for if the Government be diſſolv'd, our laws are diſſolv'd, and honour and property diſſolv'd with them; and then I doubt the mobile will come in for their ſhare in the new diviſion of the lands, and ſet up for men of as good nobility as any: For if our laws are gone, we return to a ſtate of nature, in which all men are equal, and all things common: This I believe you'll not be for, for the reaſon above-mentioned. If then the Laws continue, the Government is not diſſolv'd, and the Crown is not a gift, but an inheritance ſtill as much as your eſtate: And then the Prince of *Orange* cannot have it in his own right, becauſe his own Princeſs, and the Princeſs *Anne* are before him: Conſider then what the conſequence of the project would be.

1. This alters the eſſential conſtitution of the *Engliſh* Government, by changing an hereditary into an elective Monarchy; a thing which I know ſome men are very fond of: For even the next occaſion they can find to quarrel with their Prince, they may with as much eaſe turn it into a Common-wealth: For when the Crown is at the People's diſpoſal, they may, if they pleaſe, keep it to themſelves.

2. This will entangle all men of conſcience in new difficulties; for the oath of allegiance does not only bind us to the King, but to his Heirs and Succeſſors; which muſt be underſtood of the

the next lineal Heir, where there is no authority to alter it: And whatever a Parliament may be thought to have with the authority and conſent of the King, no man pretends that a Convention of the Eſtates has any legal authority to do it. I ſhould be as heartily glad as any man to ſee the Prince of *Orange legally* ſeated on the *Engliſh* Throne; but theſe are difficulties I cannot break through: Thus I have given you my hearty thoughts, and pray God to direct you.

I am yours.

POSTSCRIPT.

There is one thing more I would beg of you, that the ſtory of the *French* League to cut the *Proteſtants* throats in *England* may be well examin'd; for this did more to drive the King out of the Nation than the Prince's army: And if this ſhould prove a ſham, as ſome who pretend to know ſay it is, it ſeems at leaſt to be half an argument to invite the King back again. In ſhort, remember you are a Convention, not a Parliament, and therefore nothing can give authority to what you do, but the good liking of the people: And as neceſſity only can juſtify your meeting without the King's Writ; ſo I hope you will take care to do nothing but what will juſtify your ſelf to God, the King, and your Country.

The Crown offer'd to the Prince of Orange.

The Throne having been declar'd vacant, it was reſolved by the Convention, that the Prince of *Orange* ſhould next ſucceed to the Crown, and hold it for his life, even before his wife the Princeſs of *Orange*; (who by the act of Settlement was to have no ſhare in the adminiſtration, but when her huſband was abroad.) Nor was the

Princeſs

Princeſs *Anne* to ſucceed till after the death both of the Prince and Princeſs of *Orange*. And to this limitation Mr. *Echard* ſays, *We are told the Princeſs* Anne *conſented*: But whether this was a verbal or a written conſent, he does not ſay; nor when, where, in what manner, or before whom this renunciation was made; which are particulars that would have been acceptable to ſome of his readers; who think it a little ſtrange that leſs ceremony ſhould be requir'd in paſſing away an intereſt in three Kingdoms, than the conveyance of a cottage: But after all, it is not to be ſuppos'd that her conſent was ever formally aſk'd. For the Convention did not proceed upon the principles of hereditary right, but aſſerted the right and power of the States of the Nation, in placing the Crown upon the head of ſuch of the Royal Family, as was moſt expedient at ſuch a juncture. And beſides, if the Princeſs did give her conſent, it was a forc'd conſent, if we may give any credit to the Whigs, or their Amanuenſis, who wrote the ſecret hiſtory of *Whitehall*. And the Parliament making the Princeſs *Anne* depend upon her brother King *William* for her ſubſiſtence, and refuſing to ſettle her revenue by act of Parliament, muſt be allow'd to give ſome colour to that aſſertion. Biſhop *Kennet* tells us too, that in the debate concerning ſettling the Princeſs a revenue, Mr. *Hampden* urg'd the danger of ſettling a revenue on a Princeſs that had ſo near a claim to the Crown independent of the King; which ſhews there was a ſuſpicion at leaſt, that ſhe did not heartily concur in all their meaſures.

The birth of the Duke of Glouceſter, *the* 24th *of* July 1689.

But upon the birth of a Son, the intereſt of the Princeſs of *Denmark* ſeem'd to be very much advanc'd, and all the world began to make their Court that way, how much ſoever they had ſlighted

ſlighted her before: The Nation, who were now conſidering in what family to ſettle the ſucceſſion, ſeem'd overjoy'd on this happy event. This Prince was born on the 24th of *July* 1689, and chriſten'd on the 27th, by the name of *William Henry*; King *William* and the King of *Denmark* being his Godfathers, and the Marchioneſs of *Halliſax* Godmother: And King *William* conferr'd on the young Prince the title of Duke of *Glouceſter*. On the 24th of *July* 1696, the Duke being then ſeven years of age, he was inſtall'd Knight of the Garter, in the Chapel of St. *George* at *Windſor*; and the Companions of the Order, and the reſt of the Nobility preſent, were magnificently entertain'd by their Royal Highneſſes the Prince and Princeſs of *Denmark*. In the evening there was a ball, and a new ode and muſick in honour of the Duke's birth-day, with ringing of bells, illuminations, bonfires, and other expreſſions of joy: But neither the Nation nor their Royal Highneſſes many years enjoy'd this hopeful Prince. The Royal Youth, the deſire of three Kingdoms, was ſoon ſnatch'd away, and we were reduc'd to the ſame melancholy apprehenſions about the ſucceſſion of the Crown, that we were in before his birth: That precious life, ſays Biſhop *Fleetwood*, (in his ſermon on the Duke of *Glouceſter*'s death) had it pleas'd God to have prolong'd it to the uſual ſpace, had ſav'd as many fears, and jealouſies, and dark diſtreſſes, and prevented many alarms that have long kept us, and will keep us ſtill waking and uneaſy.

Biſhop *Kennet* gives us the following account of his ſickneſs and death.

The death of the Duke of *Glouceſter*, ſays he, was in a great meaſure occaſion'd by the over-heating of himſelf in the ſolemn obſervance of his birth-day, *Wedneſday*, *July* the 24th 1700. After

Death of the Duke of Glouceſter July 29th 1700, in

the

the 12th year of his age.

the ceremony was over, his Highneſs found himſelf fatigu'd and indiſpos'd. The next day he complain'd of his throat, and of a ſickneſs in his ſtomach. All *Friday* he was hot and feveriſh. On *Saturday* Morning, having taken away a little blood, he thought himſelf better; but in the evening his fever appearing more violent, a bliſter was apply'd to him, and other proper remedies adminiſtred. The ſame day a raſh appear'd on his ſkin, which increaſing, on *Sunday* more bliſters were laid on: In the afternoon the fever growing ſtronger, his Highneſs went into a delirium, which laſted with his life: He paſs'd the night as he did the preceding, in ſhort broken ſleep, and incoherent talk. On *Monday* the bliſters having taken effect, and the pulſe mending, the phyſicians that attended him thought it probable his Highneſs might recover: But about eleven at night, his Highneſs was on the ſudden ſeiz'd with a difficult breathing, and could ſwallow nothing down, inſomuch that he expir'd before midnight, being then about eleven years and five days old.

The Duke of *Glouceſter* was a Prince whoſe tender conſtitution bended under the weight of his manly ſoul, and was too much harraſs'd by the vivacity of his genius, to be of long duration: He was ſcarce ſeven years old when he underſtood the terms of fortification and navigation, knew all the different parts of a ſtrong place, and a ſhip of war, and could marſhal a company of boys who had voluntarily liſted themſelves to attend him. He had early ſuck'd in his Mother's piety, and was always attentive to prayers; but he had a particular averſion to dancing, and all womaniſh exerciſes; his whole delights being in martial ſports and hunting: In a word, he was too forward to arrive at maturity.

King

King *William* is ſaid to have expreſs'd a more than ordinary fondneſs for the Duke of *Glouceſter*, and to be very much affected at his untimely death. When the Duke entred into the tenth year of his age, the King thought fit to take him out of the hands of the Lady *Fitzharding* his Governeſs, and to appoint the Earl of *Marlborough* his Governor, and Biſhop *Burnet* his Preceptor; under whom were Mr. *Willis*, Chaplain to his Majeſty, and Mr. *Prat*, Chaplain to her Royal Highneſs; from whom he receiv'd the firſt rudiments of learning.

On the firſt of *Auguſt* the body of the deceas'd Duke was brought in the King's barges from *Windſor* to the Prince's lodgings near the Houſe of Lords; where it lay in ſuch ſtate as was proper for a private funeral, until *Friday* the 9th of *Auguſt*, when it was removed into the Painted Chamber, and from thence convey'd to the Abbey Church of *Weſtminſter*, where it was interr'd in the vault of the Royal Family on the South ſide.

Nor was this the only affliction the Princeſs *Anne* met with; for it was not long after the Revolution before there happen'd ſuch a miſunderſtanding between Queen *Mary* and her, that the Princeſs was baniſh'd the Court, nor ever ſuffer'd to return thither again till her Siſter was dead.

Princeſs Anne baniſh'd the Court: Her Letter to King William on Queen Mary's death.

Upon this mournful occaſion indeed ſhe wrote a letter of condolcance to King *William*, and aſſur'd him ſhe was as ſenſibly troubled at his misfortune, as if ſhe had never been ſo unhappy as to have fallen under his diſpleaſure: and deſired he would give her leave to wait on him as ſoon as it might be no inconveniency to him, and without danger of increaſing his affliction: that ſhe might have an opportunity in perſon of aſſuring his Majeſty of her real intention to omit

no occaſion of giving him conſtant proofs of her ſincere reſpect and concern for his perſonal intereſt and ſafety. King *William* hereupon reſtor'd her to full favour; and, as a teſtimony of it, made her a preſent of ſeveral of the late Queen's jewels.

There are ſeveral reaſons aſſign'd for this miſunderſtanding between Queen *Mary* and her Siſter: Some will have it, becauſe the Princeſs eſpouſed the intereſt of ſome of her ſervants too warmly, who were ſuſpected of holding a correſpondence with *France*, and betraying ſome of the King's deſigns: And there is the more colour for this, becauſe a certain great man, who was pretty near related to a Lady in high favour with the Princeſs, was at once turn'd out of all his places, and forc'd to live retir'd a conſiderable time. Others will have it, that the Court took umbrage at the Princeſs's tranſmitting money for the ſubſiſtence of her Father in his exile. But what was the real occaſion of the quarrel, I profeſs, is in ſome meaſure a ſecret to me; tho' I believe I cou'd give a reaſon why our hiſtorians have touch'd this point ſo very tenderly hitherto. My Lord *Haverſham* obſerves upon a certain occaſion, that thoſe who in one reign had the moſt intimate correſpondence with St. *Germains*, were in another at the head of the Miniſtry; but who he meant, I can't but conjecture with other people. But to return; the King and the Princeſs being reconcil'd, lived in a perfect good correſpondence afterwards till the King's death. But before we arrive at that period, it will be neceſſary to obſerve how the affairs of *Europe* ſtood about that time. It happen'd that the unfortunate King *James* died the 6th of *September* 1701, at St. *Germains*, in the 13th year of his third exile. Upon this event, the *French* King declar'd the

King James II. *dies.*

French *King pro-*

the Prince of *Wales* King of *England*, *Scotland*, and *Ireland*: Whereupon King *William* recall'd his Ambaſſador from *France*, and a war was look'd upon as unavoidable. King *William* therefore, by way of precaution, enter'd into a new alliance, offenſive and defenſive, with *Holland* and the *Emperor*; who at this time laid claim to the dominions of *Spain*, as depending to him by the death of *Charles* II. and was actually ſending a great army into *Italy* to enforce his claim. *claims the Pretender.*

At the opening of the Parliament on the 30th of *December*, the King came to the Houſe of Lords, and the Commons being directed to chuſe a Speaker, the choice fell upon Mr. *Harley*; whom his Majeſty having approv'd the next day, he afterwards made a Speech to both Houſes; wherein he told them, That the owning and ſetting up the pretended Prince of *Wales* for King of *England*, was not only the higheſt indignity to him and the whole nation, but nearly concern'd every man who had regard to the Proteſtant Religion, or the preſent and future quiet and happineſs of his Country. And he need not therefore preſs them to conſider, what farther effectual means might be us'd for ſecuring the ſucceſſion of the Crown in the Proteſtant Line, and extinguiſhing the hopes of all pretenders, and their open and ſecret abettors. *King William's Speech to the Parliament thereupon.*

That the *French* King, by placing his Grandſon on the Throne of *Spain*, was in a condition to oppreſs the reſt of *Europe*, unleſs ſpeedy and effectual meaſures were taken. That in order to obviate this calamity, he had concluded ſeveral alliances, according to the encouragement given him by both Houſes of Parliament. That all *Europe* was at a ſtand till their reſolutions were known, and they had yet an opportunity, by God's bleſſing, to ſecure to them and their poſterity,

ſterity, their Religion and Liberties, if they were not wanting to themſelves, but would exert the ancient vigour of the *Engliſh* Nation. But he told them plainly, it was his opinion, if they did not lay hold on this occaſion, they had no reaſon to hope for another. He concluded with deſiring ſupplies for theſe ends, and exhorts them to unanimity and diſpatch, as the beſt means to diſappoint the deſigns of their enemies.

Addreſſes of both Houſes on that ſubject.

Each Houſe preſented an addreſs of thanks to his Majeſty for his ſpeech, and aſſur'd him they wou'd ſupport his title to the Crown, and enable his Majeſty to ſhew his reſentment of the indignity offer'd him by the *French* King in proclaiming the pretended Prince of *Wales*; and that they wou'd maintain the Succeſſion of the Crown in the Proteſtant Line, according to the Acts of Settlement, and wou'd enable his Majeſty to make good all thoſe alliances he had enter'd into for preſerving the Liberties of *Europe*, and reducing the exorbitant power of *France*.

Thus the Nation was juſt upon the point of entring into a war with *France* and *Spain*, when King *William* was call'd to his long home. His Majeſty had been a great while in an ill ſtate of health, and for ſome time (as we are told) ſenſible of his approaching end; but his Death was thought by ſome to be haſtned by a fall from his Horſe on the 21ſt of *February* as he was a hunting. It ſeems, as he was endeavouring to put his Horſe into a Gallop, the beaſt fell and unfortunately broke his collar-bone. His Majeſty was carried to *Hampton-court*, where the bone was well ſet, and finding himſelf pretty well at eaſe in the afternoon, contrary to the advice of thoſe about him, went in his coach to *Kenſington*,

where he lived till the 8th of *March*, and then expired.

When he was open'd, it was obſerv'd that the upper lobe on the left ſide of the lungs, and that part of the pleura next to it were inflam'd to a degree of mortification. And this the learned took to be the immediate cauſe of the King's death. But whatever was the cauſe, he had the ſatisfaction before he departed to paſs *an Act* (by Commiſſion) *for the farther ſecurity of the Crown in the Proteſtant Line*, by which Act the Oath of Abjuration was firſt impos'd.

King William *dies, having paſſed the Act which firſt impos'd the Oath of Abjuration.*

On the King's death, the Parliament being aſſembled, the Houſe of Peers ſent to deſire a conference with the Commons; at which their Lordſhips acquainted them with the death of King *William*; declaring, that on the demiſe of his Majeſty the Princeſs *Anne* was the only rightful and lawful Queen of theſe Realms, and that orders were given for proclaiming her Majeſty at three that afternoon. The ſame day the Privy-Council being aſſembled at St. *James*'s, her Majeſty made the following Speech to them.

1 ANNÆ, 1701. March 8, *Queen* Anne's *acceſſion.*

My LORDS,

I am extremely ſenſible of the general misfortune to theſe Kingdoms in the unſpeakable loſs of the King, and of the great weight and burthen it brings in particular upon my ſelf, which nothing cou'd encourage me to undergo but the great concern I have for the preſervation of our Religion, and the Laws and Liberties of my Country; all theſe being as dear to me as they can be to any perſon whatſoever. You may depend upon it that no pains or diligence ſhall ever be wanting on my part to preſerve and ſupport

Queen Anne's *firſt Speech in Council.*

1 ANNÆ, 1701. them, to maintain the Succeſſion in the Proteſtant Line, and the Government in Church and State, as it is by law eſtabliſhed.

I think it proper, upon this occaſion of my firſt ſpeaking to you, to declare my own opinion of the importance of carrying on all the preparations we are making to oppoſe the great power of *France*. And I ſhall loſe no time in giving our Allies all aſſurances that nothing ſhall be wanting, on my part, to purſue the true intereſt of *England*, together with theirs, for the ſupport of the common cauſe.

In order to theſe ends, I ſhall always be ready to aſk the advice of my Council, and of both Houſes in Parliament, and deſirous to countenance and employ all thoſe who ſhall heartily concur and join with me in ſupporting and maintaining the preſent Eſtabliſhment and Conſtitution againſt all enemies and oppoſers whatſoever.

Then the Lords, and others of the late King's Privy Council that were preſent, took the oaths to her Majeſty. And a Proclamation was order'd to be publiſh'd, that all Magiſtrates and Officers, civil and military, ſhou'd exerciſe their reſpective offices till farther orders.

She is proclaimed. At three in the afternoon the Queen was proclaimed with the uſual ſolemnity before the Gates of St. *James*'s Palace, and afterwards at *Charing-croſs*, *Temple-bar*, and the *Royal Exchange*.

How the Nation ſtood affected to her. Her Majeſty's acceſſion to the Crown cauſed an inexpreſſible joy in thoſe who were friends to the Church. Her education in it, and her ſteady adherence to its intereſts at all times, gave them an aſſurance ſhe wou'd prove a nurſing Mother to it; and it was no ſmall addition to their joy, that ſhe was a native of the Kingdom, and

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cou'd have no intereſt ſeparate from that of her people. But there were another ſet of men whoſe principles were not only diametrically oppoſite to her Majeſty's, but who were conſcious alſo of the indignities they had offer'd her while ſhe was Princeſs; and perhaps of ſome attempts towards introducing another Bill of Excluſion. Theſe men were filled with apprehenſions ſuitable to ſuch treatment, and dreaded her reſentment; they cou'd not imagine that a Princeſs, againſt whoſe Family they had ever ſet themſelves, and who knew their malignity to the whole race of *Stuarts*, cou'd poſſibly forgive them, and extend ſo much grace and indulgence to them as they afterwards experienc'd; but, on the contrary, expected little leſs than a total extirpation. Under their firſt ſurprize they wou'd certainly have given the Church a Chart Blank to have inſerted her own conditions. How they came afterwards to recover themſelves ſo as to juſtle the Eſtabliſhment again, will appear in the following Hiſtory; tho' whoever is acquainted with the large conceſſions and indulgence of her Royal Anceſtors to their forefathers, and has obſerved the effect it had upon them, will not be at a loſs to account for ſo ſurprizing a change. 1 ANNÆ. 1701.

The Queen being proclaimed in *London*, the two Secretaries of State of *Scotland*, and ſuch of the Privy-Council of that Kingdom as were in town, attended her Majeſty at St. *James*'s; where, having read their claim of right, they tendred her the Coronation Oath, which ſhe took; and afterwards ſent a Commiſſion to the Earl of *Marchmont*, Lord Chancellor of that Kingdom, to be her Commiſſioner in the General Aſſembly of the Kirk that was then ſitting;

1 ANNÆ. 1701. ting; and then diſpatch'd the following Letter to the Privy-Council there.

ANNE R.

The Queen's Letter to the Privy-Council of Scotland.

RIght truſty, *&c.* we greet you well. Whereas it hath pleaſed Almighty God this day to call out of this life to the fruition of his eternal glory, his late Majeſty, our royal and moſt dearly beloved Brother King *William*, whereby the undoubted right of the Imperial Crown of the Kingdom of *Scotland*, conform to the Act of Settlement, is now devolved upon us. And having likewiſe (after hearing read the Petition of Right and Grievances) taken and ſign'd the Coronation Oath in preſence of ſeveral of our Privy-Council, whom we call'd together for that end at our Palace at St. *James*'s, have thought fit to authorize you to continue to meet, and in all things to act as our Privy-Council of that our ancient Kingdom, in the ſame manner, to all intents and purpoſes, as you were intruſted by his late Majeſty of glorious memory, until we ſhall ſend you a new Commiſſion for that effect under our Royal Hand. And we do hereby alſo authorize and require you, without any delay, in the moſt proper methods, and with the due ſolemnities, to publiſh the incloſed Proclamation in our name, ordaining all our Officers of State, Counſellors, Magiſtrates, and all other Officers whatſoever, both civil and military, to act in all things conform to the laſt Commiſſion and Inſtructions that they had from his ſaid late Majeſty, until new Commiſſions can be prepared and ſent down, ſign'd by our Royal Hand. And we do on this occaſion, at our firſt acceſſion to the Crown, give you and all our people full aſſurance of our firm reſolution, during the whole courſe of our reign, to protect them in their Religion,

Laws

Laws and Liberties, and in the eſtabliſhed Go- 1 ANNÆ, 1701.
vernment of the Church; and that we will do every thing in our power that may conduce to their happineſs and proſperity. And as we are reſolved to continue our favour to you, ſo we expect you will alſo continue in the ſame zeal in our ſervice, which you have evinced in that of our ſaid moſt dear and Royal Brother deceas'd; for all which this ſhall be your warrant. And ſo we bid you heartily farewel.

Given at our Court at St. *James*'s the 8th Day of *March*, 1701, and of our reign the firſt year.

By her Majeſty's Command,

SEAFIELD.

Lords addreſs on the Queen's acceſſion.

On the 9th of *March* the Houſe of Peers preſented an addreſs to the Queen, condoling their loſs, and congratulating her Majeſty's happy acceſſion to the Throne, and aſſuring her of their firm reſolutions to ſupport her undoubted right and title, and the Succeſſion in the Proteſtant Line; being ſenſible, they ſaid, their great loſs was no otherwiſe to be repaired but by a vigorous adherence to her Majeſty and her Allies in the proſecution of the meaſures already enter'd into to reduce the exorbitant power of *France*; that they wou'd exert themſelves to the utmoſt to maintain the balance of *Europe*; and deſired no time might be loſt in communicating to the Allies her Majeſty's reſolutions of adhering to the alliances already made, and that they wou'd enable her Majeſty to maintain the ſame.

Her Majeſty thanked them for the aſſurances they gave her, and ſaid her endeavours ſhould always

1 ANNÆ, 1701. ways be very ſincere to promote the true intereſt of *England*, and ſupport the common cauſe.

Commons addreſs on her acceſſion.

On the 9th of *March*, in the evening, the Commons in a body attended her Majeſty with their addreſs, condoling the loſs of the late King, who, under God, had deliver'd them from Popery and Slavery. But they ſaid, her Majeſty's zeal for their Religion and Eſtabliſhment, gave them a certain proſpect of future happineſs, and moderated their grief; and engag'd them unanimouſly to aſſure her, that they would aſſiſt and maintain her Majeſty on the Throne where God had plac'd her, againſt the pretended Prince of *Wales*, and all her enemies. And they aſſure her Majeſty, that they are firmly reſolv'd to enable her to maintain her alliances, and that they will maintain the Succeſſion of the Crown in the Proteſtant Line, and effectually provide for, and make good, the publick credit of the Nation. Her Majeſty thank'd them for their aſſurances, and ſaid, they cou'd not be more agreeably confirm'd, than by giving diſpatch to their preparations for the publick ſervice, and for the ſupport of the Allies.

The Lord Archbiſhop of *Canterbury*, and the other Biſhops alſo, attended her Majeſty with an addreſs of condoleance and congratulation, as did the Lord Mayor and Aldermen of the City of *London*; and afterwards all the Counties and Corporations in *England*.

On the 11th of *March* the Queen came to the Houſe of Lords, and the Commons being ſent for up, her Majeſty made the following Speech to both Houſes.

My Lords and Gentlemen,

The Queen's firſt Speech

I cannot too much lament my own unhappineſs, in ſucceeding to the Crown ſo immediately

ately after the loſs of a King, who was the great ſupport, not only to theſe Kingdoms, but of all *Europe*; and I am extremely ſenſible of the weight and difficulty it brings upon me. But the true concern I have for our Religion, for the Laws and Liberties of *England*, for the maintaining the Succeſſion to the Crown in the Proteſtant Line, and the Government in Church and State, as by law eſtabliſh'd, encourages me in this great undertaking; which I promiſe my ſelf will be ſucceſsful, by the bleſſing of God, and the continuance of that fidelity and affection, of which you have given me ſo full aſſurance.

1 ANNÆ, 1701. *to the Parliament after her acceſſion.*

The preſent conjuncture of affairs requires the greateſt application and diſpatch, and I am very glad to find in your ſeveral addreſſes, ſo unanimous a concurrence in the ſame opinion with me, that too much cannot be done for the encouragement of our Allies, to reduce the exorbitant power of *France*.

I cannot but think it very neceſſary upon this occaſion, to deſire you to conſider of proper methods towards attaining of an union between *England* and *Scotland*; which has been ſo lately recommended to you, as a matter that very nearly concerns the peace and ſecurity of both Kingdoms.

Gentlemen of the Houſe of Commons,

I need not put you in mind that the revenue for defraying the expences of the civil Government is expir'd.

I rely entirely upon your affections, for the ſupplying it in ſuch manner as ſhall be moſt ſuitable for the honour and dignity of the Crown.

My Lords and Gentlemen,

It ſhall be my conſtant endeavour to make you the beſt return for that duty and affection you have

ANNÆ, 1701. have expreſs'd to me, by a careful and diligent administration for the good of all my ſubjects. And as I know my own heart to be entirely *Engliſh*, I can very ſincerely aſſure you, there is not any thing you can expect or deſire from me, which I ſhall not be ready to do for the happineſs and proſperity of *England*: And you ſhall always find me a ſtrict and religious obſerver of my word.

The Commons return'd her Majeſty their thanks by ſuch of their members as were of her Majeſty's Privy Council. And on the 13th of *March*, the Lords attended the Queen with an addreſs of thanks for her Majeſty's ſpeech.

An addreſs of condoleance and congratulation was alſo preſented to her Majeſty from the Biſhop and Clergy of the city of *London*; to whom ſhe ſaid ſhe was pleas'd with the marks of their good will, and they might be ſure ſhe would always have a particular care of the Church.

Duke of Bedford *and Earl of* Marlborough *made Knights of the Garter.*

On the 14th of *March*, the Duke of *Bedford* and the Earl of *Marlborough* were elected Knights Companions of the moſt noble Order of the Garter. And the next day the Queen declar'd the Earl of *Marlborough* Captain General of all her Majeſty's forces in *England*, and of thoſe employ'd abroad in conjunction with her Allies.

Earl of Marlborough *Captain General.*

And her Majeſty wrote the following Letter to the States General.

Queen's Letter to the States General.

High and mighty Lords, our moſt dear Friends, Allies and Confederates,

IT is not without a ſenſible grief that we find our ſelves obliged to acquaint you with the afflicting news of the death of the moſt high and moſt mighty Prince *William* III. King of *England*, *Scotland*, *France* and *Ireland*, our moſt dear Brother, of glorious memory. He was ſeiz'd

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on *Wedneſday* laſt with a fever, which ſo much increaſed the following days, that notwithſtanding all the remedies that were made uſe of, he expired on *Sunday* at eight of the clock in the morning. This is certainly a very great loſs to all *Europe*, and in particular to your State; whoſe intereſt he always maintain'd with ſo much valour, prudence, zeal and conduct. And as it has pleas'd God that we ſhould ſucceed him in the Throne of theſe Kingdoms, we ſhall alſo ſucceed him in the ſame inclination to preſerve a conſtant union and amity with you, and maintain all the alliances that have been made with your State, by our ſaid moſt dear Brother, and other our predeceſſors: And likewiſe to concur with you in all the meaſures that ſhall be neceſſary for the preſervation of the common Liberty of *Europe*, and for reducing the power of *France* within due bounds. This we deſire you to be fully aſſur'd of, and that we ſhall always look upon the intereſts of *England*, and thoſe of your State, as inſeparable, and united by ſuch ties as cannot be broke without the greateſt prejudice to both Nations. We pray God to keep you, High and Mighty Lords, our moſt dear Friends and Confederates, in his holy protection. Given at our Court at St. *James*'s, *March* 10th *Anno Domini* 1701, and the firſt of our reign. 1 ANNÆ. 1701.

This Letter Mr. *Stanhope*, the *Engliſh* Envoy in *Holland*, deliver'd to the States; who immediately publiſh'd it to refute thoſe reports that had been rais'd, that the Queen wou'd not proſecute the meaſures concerted by King *William* and the Confederates. Soon after her Majeſty diſpatch'd the Earl of *Marlborough* to *Holland*, in quality of her Ambaſſador Extraordinary and Plenipotentiary. He arriv'd at the *Hague* the 28th of

1 ANNÆ, 1701. of *March* 1702; and having had ſeveral conferences with the Penſionary and the other miniſters, he was on the 31ſt of *March* conducted to his publick audience of the States General, with great ſolemnity; to whom he made a ſpeech: Wherein having condol'd their mutual loſs, and aſſur'd them of her Majeſty's ſincere deſire to entertain the ſame union, friendſhip, and correſpondence, as there was between the two Nations in the preceding reign, he farther aſſur'd them, that the Queen wou'd not only faithfully obſerve the treaties and alliances already made with them, but was ready to renew and confirm them, and to concur in all the meaſures taken by the late King in purſuance of the ſaid alliances.

Earl of Marlborough's *Speech to the States General.*

That the Queen was alſo diſpoſed to enter into ſtricter alliances for the intereſt of both Nations, the preſervation of the Liberty of *Europe*, and reducing the exorbitant power of *France*.

That to theſe ends ſhe was ready to aſſiſt the Allies with all her forces by ſea and land, and had order'd him to concert with them the neceſſary operations.

Monſieur *Dickvelt*, Preſident of the Aſſembly, anſwer'd in the name of the States, that they condol'd the loſs of the King, but congratulated her Majeſty's acceſſion to the Throne. That they thank'd her for the aſſurances of her friendſhip, and that they were ready to concur with her Majeſty in proſecution of the common intereſt.

The Sieur de *Barr*, Reſident of *France* at the *Hague*, in order to prevent this good underſtanding between *England* and *Holland*, preſented a Memorial to the States, offering them his Maſter's friendſhip; which he ſaid he did not doubt they would be ready to cultivate, now they were no longer under the influence of the deceas'd King. But gave them to underſtand at the

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ſame time, that his Maſter's forces were ready to enter upon action, and they muſt now determine whether they wou'd chuſe quiet and liberty, or war, and the ruin of their trade ſacrific'd to foreign intereſts. The States, in their anſwer to Mr. *de Barr*'s Memorial, ſaid, That they had always highly eſteem'd his Majeſty's friendſhip, and had never done any thing to cauſe any alteration therein; but that the preparations for war upon their frontiers, laid them under a neceſſity of putting themſelves in a poſture of defence, and to aſk the aſſiſtance of their Allies. That the Reſident was miſtaken if he thought they had not as much liberty during the life of his *Britiſh* Majeſty to debate and take ſuch reſolutions as they judg'd neceſſary for their preſervation, as they had at preſent. That they cou'd not indeed enough deplore their misfortune of being depriv'd of his wiſe conduct, whoſe deſerts to their Republick would never be forgotten. And they were reſolv'd to follow the ſame principles, and continue the ſame alliances they had enter'd into in his life time, and make uſe of ſuch other means as God had put into their hands for maintaining their Liberty and Religion. Upon this anſwer the Sieur de *Barr* diſpatch'd an expreſs to *France*; and the Earl of *Marlborough* having concerted meaſures for the ſiege of *Keyſerſwaert*, return'd to *England*.

1 ANNÆ, 1701.

On the 14th of *March* the Commons reſolved, that the ſame revenue that had been ſettled on King *William*, ſhould be ſettled on her Majeſty for life. And on the 30th of *March* the Queen came to the Houſe of Lords, and gave her Royal aſſent to ſeveral publick and private acts. And then her Majeſty made a ſpeech to both Houſes; wherein ſhe expreſs'd her ſatisfaction in paſſing the act for taking the publick accounts. She thank'd

The Queen's revenue ſettled for life.

1 ANNÆ, 1702.

Queen's ſpeech to the Parliament.

1 ANNÆ, 1702. thank'd the Commons for continuing the ſame revenue to her as was granted the late King, and told them, ſhe would aſſign an Hundred thouſand pounds thereof for the publick ſervice of the preſent year, and puts the Houſes in mind of giving all poſſible diſpatch to the publick buſineſs.

She gives 100000 l. towards the War.

Addreſſes of both Houſes.

On the firſt of *April* the Lords addreſſed her Majeſty, expreſſing their gratitude for her Majeſty's unparallel'd goodneſs, in ſtreightning her ſelf to eaſe her people.

And the next day the Commons addreſſed her to the ſame effect, repeating their reſolutions to maintain and defend her Majeſty, and her Government, againſt the pretended Prince of *Wales*, and all other her enemies whatſoever.

On the 11th of *April* Baron *Spanheim*, Ambaſſador Extraordinary from the King of *Pruſſia*, and Baron *Schuts*, Envoy Extraordinary from the Elector of *Hanover*, having each receiv'd new Letters of Credence, had private audiences of the Queen, wherein they condoled the death of the late King, and congratulated her Majeſty's acceſſion to the Crown; and they had afterwards a private audience of his Royal Highneſs the Prince of *Denmark*: And the reſt of the foreign Miniſters alſo ſoon after attended her Majeſty, and the Prince, with compliments of condoleance and congratulation.

King William's *funeral.*

It having been determined in Council to bury the late King privately, on *Sunday* the 12th of *April* the funeral obſequies were performed: The Corpſe was brought from *Kenſington* to the Collegiate Church of St. *Peter*'s, *Weſtminſter*, in an open chariot, attended by a numerous train of coaches of the ſervants of the Royal Family, the Lords Spiritual and Temporal, and the great Officers.

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The Pall was supported by six Dukes; his Royal Highness the Prince of *Denmark* was chief mourner, supported by two Dukes, and followed by sixteen of the first Earls of *England*, as assistants, and after them the Gentlemen and Grooms of the Bed-chamber. The Corpse was placed in King *Henry* VIIth's Chapel, while the service of the Church was performed by the Dean of *Westminster*, and then interred in the same vault with his Consort the late Queen *Mary*; where also King *Charles* II. was interred. 1 ANNÆ 1702.

After the office of burial, an Anthem was sung by the Choir, and *Clarenceux* King of Arms concluded in these words: Thus it hath pleased Almighty God to take out of this transitory life, to his divine mercy, the late most high, most excellent, and most mighty Monarch, *William* III. by the grace of God, King of *England*, *Scotland*, *France* and *Ireland*, Defender of the Faith, and Sovereign of the most noble Order of the Garter. Let us beseech Almighty God to bless and preserve with long life, wealth and honour, and all worldly happiness, the most high, most excellent, and most mighty Princess, our Sovereign Lady *Anne*, now, by the grace of God, Queen of *England*, *Scotland*, *France* and *Ireland*, Defender of the Faith, and Sovereign of the most noble Order of the Garter. God save Queen *ANNE*. This done, the white staff Officers of his late Majesty's Household broke their white staffs, and threw them into the vault.

Promotions at Court.

The 14th of *April* the Duke of *Devonshire* was constituted Lord Steward of the Household, the Earl of *Jersey* Lord Chamberlain, the Earl of *Bradford* Treasurer, Sir *Edward Seymour* Comptroller, and *Peregrine Bertie*, Esq; Vice-Chamberlain; and two days after, the Queen in

1 ANNÆ, 1702. Council declared his Royal Highneſs the Prince of *Denmark* Generaliſſimo of all her Majeſty's forces by ſea and land.

Prince George *Generaliſſimo.*

In the beginning of this reign Sir *Thomas Lane*, and *William Dockwra*, Eſq; and the other proprietors of Eaſt and Weſt *Jerſey*, in *America*, made a ſurrender in Council of their rights to the government of thoſe Provinces, which her Majeſty accepted; aſſuring them, that their properties ſhou'd be preſerved, and the government of thoſe Provinces brought under a due regulation; and that ſhe wou'd take them under her ſpecial care and protection.

Other promotions.

The Duke of *Ormond* was on the 20th of *April* made Commander in chief of her Majeſty's land forces on board the fleet; and the Lord *Somers*, and ſome others being diſmiſſed from the Council-board, the Marquis of *Normanby*, the Earl of *Abingdon*, Sir *John Leviſon-Gower*, Sir *Edward Seymour*, and *John How*, Eſq; were ſworn of the Privy-Council: And the Privy-Seal was delivered to the Marquis of *Normanby*; and the Seal of the Duchy of *Lancaſter* to Sir *John Leviſon-Gower*.

Queen's Letter to the Parliament of Scotland.

About this time the Queen wrote a Letter to the Parliament of *Scotland*, in anſwer to one they had written to the late King, concerning their trade to *Africa* and the *Indies*, and the union with *England*. She tells them, ſhe wou'd maintain the ſovereignty and independency of that her ancient Kingdom, and be as tender of their rights as of her Kingdom of *England*; that ſhe wou'd govern each Kingdom according to their reſpective laws, and endeavour to avoid all miſunderſtandings and differences between them; to that end ſhe would endeavour to eſtabliſh an union between them. That the Parliament of *England* having ſhewn ſuch an inclination towards a union,

union, ſhe hop'd the Parliament of *Scotland* wou'd not obſtruct the deſign. That the late King had order'd that none of the ſubjects of *Scotland* ſhould be impreſſed for the *Engliſh* ſea ſervice, and ſhe wou'd continue to protect them in this matter. She regretted their loſſes and diſappointments in their trade to *Africa* and the *Indies*, and in ſettling a Colony in *America*, which was now a misfortune to the whole Kingdom, and ſhe wou'd concur in any propoſals for their reparations and aſſiſtance; and ſhe ſhou'd encourage not only the trade of that company, but of the whole, and to the utmoſt of her power promote the welfare of her people. 1 ANNÆ, 1702.

The Queen's Coronation.

The 23d of *April*, being St. *George*'s day, her Majeſty's Coronation was performed with great ſolemnity in the following manner:

Her Majeſty being come to *Weſtminſter-hall* about eleven of the clock, and having retired into the Court of Wards, the Nobility, and thoſe who form'd the firſt part of the proceeding, being put in order by the Heralds, came down in ſolemn proceſſion into *Weſtminſter-hall*, where her Majeſty being ſeated under her State, the Sword and Spurs were preſented to her, and laid upon the table at the upper end of the Hall.

Then the Dean and Prebendaries of *Weſtminſter* having brought the Crown and other Regalia, with the Bible, Chalice, and Paten, they were preſented ſeverally to her Majeſty; and ſhortly after were, together with the Sword and Spurs, deliver'd to the Lords appointed to carry them.

Thereupon the proceſſion began, and marched on foot upon blue cloth to *Weſtminſter Abbey*, (only the Queen had the conveniency to be carried in a low open chair all the way) and the

1 ANNÆ, 1702. Houſes on each ſide were crowded with vaſt numbers of ſpectators, expreſſing their great joy and ſatisfaction by loud and repeated acclamations.

Being entred the Church, and all duly ſeated and placed, the Archbiſhop of *Canterbury*, who performed this great ſolemnity, began with the recognition, which ended with a mighty ſhout from each ſide of the Theatre: Then her Majeſty made her firſt oblation, and the Lords who bore the Regalia preſented them at the Altar; the Litany was ſung by the Biſhops of *Litchfield* and *Lincoln*; and after the Epiſtle, Goſpel, and the *Nicene* Creed, the Archbiſhop of *York* preached on this text, *Iſaiah* xlix. *ver.* 23. *Kings ſhall be thy nurſing Fathers, and Queens thy nurſing Mothers.*

Afterwards her Majeſty repeated and ſign'd the Declaration or Teſt preſcrib'd by Act of Parliament, and then took the Coronation Oath; and in King *Edward*'s Chair, plac'd in the middle of the Area before the Altar, was anointed, and preſented with the Spurs, and girt with the Sword, and veſted with her purple Robes; and having receiv'd the Ring, the Orb, and Scepters, was ſolemnly crown'd about four of the clock with loud acclamations, the drums beating, trumpets ſounding, and the great guns being diſcharged; whereupon the Peers and Peereſſes, *&c.* put on their Coronets, and the Biſhops their Caps.

Then the holy Bible was preſented to her Majeſty, and ſhe vouchſafed to kiſs the Biſhops; and being inthroned, firſt his Royal Highneſs Prince *George*, then the Archbiſhops and Biſhops, and laſtly, the Temporal Lords, did their homage, and ſeemingly kiſs'd her Majeſty's left cheek, and afterwards touch'd the Crown, while the

the Treaſurer of the Houſhold threw about the Coronation Medals. 1 ANNÆ. 1702.

Then her Majeſty made her ſecond oblation, and received the holy Communion; and after the final prayers retired into King *Edward*'s Chapel, and being veſted in her robes of purple velvet, and the whole proceeding being again put in order, her Majeſty return'd to *Weſtminſter-hall*, wearing her Crown of State, and the Peers and Peereſſes, and Kings of Arms, their Coronets.

The Queen din'd at a table at the upper end of the Hall, with his Royal Highneſs Prince *George* on her left hand; and the Nobility, and other perſons of Quality, were ſeated at their reſpective tables, which were all ready furniſhed before their coming in.

Juſt before the ſecond courſe *Charles Dymoke*, Eſq; her Majeſty's Champion, in complete armour, between the Lord High Conſtable and Earl Marſhal before mentioned, performed the challenge; after which, the Kings of Arms and Heralds proclaimed her Majeſty's Stile in *Latin*, *French*, and *Engliſh*, the Parliament ſitting: The Houſe of Commons was ſeated in a gallery on the Eaſt ſide of *Weſtminſter-hall*, and in the North croſs of the Abbey, and were entertained at dinner in the *Exchequer* chamber.

Dinner being ended, and all things performed with great ſplendor and magnificence, about half an hour paſt eight in the evening her Majeſty return'd to St. *James's*; the day concluding with bonfires, illuminations, ringing of bells, and other demonſtrations of a general ſatisfaction and joy.

We ſhall now take a view of our affairs abroad.

1 ANNÆ, 1702.

The defection of the Dukes of Wolfembuttle.

The *French* King obſerving what a formidable Confederacy was forming againſt him, left no ſtone unturn'd to draw over the *German* Princes to his intereſt, and did not only ſucceed in his attempts upon the Electors of *Bavaria* and *Cologn*, but prevailed alſo with the two Dukes of *Wolfembuttle*, *Rodolphus* and *Anthony*, to raiſe forces in the Empire in his favour.

Whereupon the Duke of *Zell*, by the Emperor's direction, made an incurſion into their country, in order to compel them, by force of arms, to abandon the intereſts of the enemy.

This ſucceeded ſo well, that after the Duke of *Zell* had made himſelf maſter of ſeveral ſtrong holds in the ſaid Principality, he block'd up *Wolfembuttle* it ſelf. The two Brothers, *Rodolphus* and *Anthony*, then held the Regency together; *Anthony*, whether out of generoſity not to forſake his Friend and Ally, who had ſo well paid him, and from whom perhaps he expected greater advantages, or out of obſtinacy, ſhew'd no inclination to quit the *French* intereſt; and though the Duke of *Holſtein Ploeun* us'd all his endeavours to perſuade him to underſtand his own good, he could never bring him to hearken to reaſon. But *Rodolphus*, whether terrify'd by the impending danger, or deſirous to have the Regency to himſelf, began to think of coming to a compoſition: Accordingly a negotiation was ſet on foot, which ended in an agreement between the Dukes of *Hanover* and *Zell*, and *Rodolphus Auguſtus* of *Wolfembuttle*, to this effect: That Duke *Anthony Ulric* ſhould be excluded from the Regency; that *Rodolphus Auguſtus* ſhould take the government into his own hands, and quit all his engagements with *France*. On the other ſide, that the Elector of *Hanover*, and Duke of *Zell*, ſhould take into their ſervice a thouſand horſe,

horſe, and two thouſand four hundred foot of the ſoldiers of *Wolfembuttle*, which were rais'd with *French* money, and withdraw their own forces out of the Principality. 1 ANNÆ, 1702.

The 16th of *April*, N. S. *Keyſerwaert*, which the Elector of *Cologn* had put into the hands of *France*, was inveſted by Prince *Naſſaw Saurbruck*, with the troops of *Holland*, *Pruſſia*, and the Elector *Palatine*, who acted as auxiliaries to the Emperor, while Prince *Lewis* of *Baden* aſſembled an army upon the upper *Rhine*, in the neighbourhood of *Croon Weiſſenburgh* and *Lauterburg*, to cut off the communication between *Landau* and *Straſburgh*, and the country of *Alſace*. Keyſerwaert *inveſted.*

It was debated in Council in *England*, whether it was more expedient for the *Engliſh* to act in this juncture as auxiliaries to the Emperor, or as principals in the war. It was remembred by ſome, that in the late war the Emperor, and ſome other of the Allies, had been very remiſs in furniſhing their quota's, and bringing their troops early into the field; whereby many advantages had been loſt, and the burthen of the war in a manner thrown upon the *Engliſh*. Their deficiencies were conſtantly ſupply'd by *England*; and when they were put in mind of what they ſtipulated and engaged for, their inability to perform their parts was accepted as an excuſe; while the *Engliſh*, like men of honour, anticipated their revenues, and mortgaged their country in the quarrel: Whereas had they acted only as auxiliaries, they wou'd have had no more to do but to pay the troops ſent to their aſſiſtance; and the ſtreſs and burthen of the war muſt have been born, as it ought to be, by thoſe who were moſt nearly concern'd in the event. *Debates in Council upon entring into the war.*

1 ANNÆ, 1702. But the Dukes of *Somerſet* and *Devonſhire*, the Earls of *Marlborough* and *Pembroke*, inſiſting, that it was for the honour of the Nation to make good the treaties made by the late King, and that *France* wou'd never be reduc'd, unleſs the *Engliſh* enter'd into the war as principals; they drew the majority of the board over to their opinion, and a Declaration of war was order'd to be prepar'd againſt *France* and *Spain*. The Queen however thought it proper to lay the matter before the Commons, and accordingly Mr. *Comptroller*, by her Majeſty's command, communicated to them the Convention between her Majeſty, the Emperor, and the States General. Whereupon the Commons addreſs'd her Majeſty, and having return'd their thanks that ſhe had condeſcended to adviſe with them before ſhe declar'd war with *France* and *Spain*, they aſſur'd her they wou'd, to their utmoſt, aſſiſt and ſupport her Majeſty in carrying on the ſaid war.

The Queen having the concurrence of the Commons, caus'd the following Declaration of war againſt *France* and *Spain* to be ſolemnly proclaim'd.

ANNE R.

Declaration of war againſt France *and* Spain.

WHereas it hath pleaſed Almighty God to call us to the Government of theſe Realms, at a time when our late dear Brother *William* III. of glorious memory, had, in purſuance of the repeated advice of the Parliament of this Kingdom, enter'd into ſolemn Treaties of Alliance with the Emperor of *Germany*, the States General of the united Provinces, and other Princes and Potentates, for preſerving the Liberty and Balance of *Europe*, and for reducing the exorbitant power of *France*; which Treaties are grounded upon the unjuſt uſurpations and encroachments of the

French

French King, who had taken and ſtill keeps poſ- 1 ANNÆ, 1702.
ſeſſion of a great part of the *Spaniſh* Dominions, exerciſing an abſolute authority over all that Monarchy, having ſeiz'd *Milan*, and the *Spaniſh* low Countries by his armies; and made himſelf maſter of *Cadiz*, of the entrance into the *Mediterranean*, and of the Ports in the *Spaniſh Weſt Indies* by his fleet; every where deſigning to invade the Liberties of *Europe*, and to obſtruct the freedom of navigation and commerce: And it being provided by the third and fourth Articles of the fore-mentioned Alliance, that if in the ſpace of two months, which are ſome time ſince expired, the injuries complain'd of were not remedied, the parties concern'd ſhould mutually aſſiſt each other with their whole ſtrength. And whereas, inſtead of giving the ſatisfaction that ought juſtly to be expected, the *French* King has not only proceeded to farther violences, but has added thereunto a great affront and indignity to Us and our Kingdoms, in taking upon him to declare the pretended Prince of *Wales* King of *England*, *Scotland*, and *Ireland*; and has alſo influenc'd *Spain* to concur in the ſame affront and indignity, as well as in his other oppreſſions: We find our ſelves oblig'd, for maintaining the publick faith, for vindicating the honour of our Crown, and for preventing the miſchiefs which all *Europe* is threatned with, to declare, and we do hereby accordingly declare war againſt *France* and *Spain*. And placing our entire confidence in the help of Almighty God, in ſo juſt and neceſſary an undertaking, we will, in conjunction with our Allies, vigorouſly proſecute the ſame by ſea and land; being aſſur'd of the ready concurrence and aſſiſtance of our ſubjects, in a cauſe they have ſo openly and ſo heartily eſpouſed. And we do hereby will and require our Lord High

1 ANNÆ, 1702. High Admiral of *England*, our General of our forces, our Lieutenants of our ſeveral countries, Governors of our forts and garriſons, and all other officers and ſoldiers under them by ſea and land, to do and execute all acts of hoſtility in the proſecution of this war againſt *France* and *Spain*, their vaſſals and ſubjects, and to oppoſe their attempts; willing and requiring all our ſubjects to take notice of the ſame, whom we henceforth ſtrictly forbid to hold any correſpondence or communication with *France* or *Spain*, or their ſubjects. But becauſe there are remaining in our Kingdoms many of the ſubjects of *France* and *Spain*, we do declare our Royal intention to be, That all the ſubjects of *France* and *Spain*, who ſhall demean themſelves dutifully towards Us, ſhall be ſafe in their perſons and eſtates.

Given at our Court at St. *James*'s the 4th Day of *May*, 1702, in the firſt year of our reign.

By the KING,

French *King's Declaration of war.*

ALthough the Treaty concluded at *Ryſwick*, in a time when the King, by the ſuperiority of his forces, was in a condition to have given laws to the neighbouring Princes that were jealous of his power, was a certain proof of the ſincere deſire that his Majeſty had always to give peace to his ſubjects, and to reſtore peace to *Europe*: His Majeſty nevertheleſs finds that the Emperor, without any lawful right to the *Spaniſh* Monarchy, hath put himſelf in a condition, by the augmentation of his troops, by Treaties and Alliances with ſeveral Princes, and particularly with *England*, and the States General of the united Provinces, to trouble the repoſe of *Europe* by a new

new war, as unjuſt as it is ill grounded. They have begun hoſtilities on all ſides againſt, and contrary to the Treaties ſo ſolemnly ſworn to. All *Europe* is witneſs of his Majeſty's moderation. He hath ſeen places attack'd, advantageous poſts ſeiz'd, convoys ſtopp'd, and priſoners taken, before any Declaration of war, and at a time when his Majeſty was endeavouring by his Ambaſſadors and Envoys to preſerve the peace. All theſe ſteps being ſo contrary to ſincere dealing, and their own intereſts, and the Manifeſto's and Declarations of war of the Emperor, *England*, and the States General having been publiſh'd, his Majeſty finds himſelf under an indiſpenſable neceſſity, in order to preſerve his own and the King his Grandſon's dominions, to arm on his ſide, and to make levies ſufficient to oppoſe the undertakings of the common enemies. And for that end his Majeſty is reſolv'd to employ all his forces by ſea and land; and by the help of divine protection, which he implores on the juſtice of his cauſe, to declare war againſt the Emperor, *England*, the States General of the united Provinces, and the Princes their Allies. His Majeſty orders and commands all his ſubjects, vaſſals and ſervants, to cruize upon the ſubjects of the Emperor, *England*, and *Holland*, and on the ſubjects of their Allies; and ſtrictly forbids his ſubjects to have henceforth any communication, commerce, or intelligence with them on pain of death. And therefore his Majeſty hath revok'd, and by theſe preſents revokes all permiſſions, paſſports, and ſafeguards, and ſafe conducts, which may have been granted by him or his Lieutenant-Generals, and other his officers, contrary to theſe preſents; and hath declar'd, and does declare them to be void and of none effect and force: Forbiding all Perſons whatſoever to have any regard unto

1 ANNÆ, 1702.

1 ANNÆ 1702. unto them. His Majeſty orders and commands the Admiral, Mareſchals of *France*, Governors and Lieutenant-Generals for his Majeſty in his Provinces and Armies, Mareſchals de Camp, Colonels, Camp-maſters, Captains, Chiefs and Leaders of his Majeſty's ſoldiers, both horſe and foot, *French* and ſtrangers, and all his other officers to whom it may pertain, what is herein contain'd, to cauſe execute, each in his office, within their towns and juriſdictions. For ſuch is his Majeſty's will and pleaſure, that theſe preſents be publiſh'd in all the maritime and other towns, and in all the ports, havens, and other places of the Kingdom and Lands under his obedience, where need ſhall be. To the end that none may pretend ignorance.

Given at *Marli July* the 3d 1702.
Sign'd LOUIS.
Underneath CHAMILLART.

Princeſs Sophia order'd to be pray'd for.

In *England* the Lords and Commons ſeparately addreſs'd the Queen, returning her Majeſty their thanks for her great zeal for the Proteſtant Succeſſion, expreſs'd in a late Order of Council, directing the Princeſs *Sophia* to be pray'd for, *&c.*

New Secretaries of State made.

The 2d of *May* the Earl of *Nottingham* and Sir *Charles Hedges* were declar'd her Majeſty's principal Secretaries of State, in the room of the Earl of *Mancheſter*, and Mr. *Vernon*. And on the 6th the Lord *Godolphin* was conſtituted Lord High Treaſurer of *England*.

About this time the Lords examin'd into a report that was then current, of a deſign of the late King's, to exclude the Queen from the Throne, and came to the following reſolutions, *viz.* That the ſaid report was groundleſs, falſe, villainous, and ſcandalous, to the diſhonour of the

Reſolutions of the Lords on the re-

the late King's memory, and highly tending to the diſſervice of her preſent Majeſty; and deſired her Majeſty that the Attorney General might proſecute the authors of ſuch reports.

1 ANNÆ 1702.

port that the late King deſign'd to exclude the Queen from the Crown.

A pamphlet of Doctor *Drake*'s, entitled, *The hiſtory of the laſt Parliament*, was alſo complain'd of, as inſinuating ſomething of this nature; which their Lordſhips were pleas'd to cenſure, and order the Attorney General to proſecute him. The pamphlet call'd, *The true picture of a modern Whig* was cenſur'd alſo on the ſame account.

Dr. *Drake* ſeems to be under a ſtrange ſurprize and abſence of thought at his examination in the Houſe of Peers; for being aſk'd, If he had heard any perſons ſay that they cou'd charge any perſons whatever with ſuch ſpeeches? He anſwer'd, He did not know of any ſuch perſon. And being aſk'd farther, Whether in any of the pamphlets he had cited as obnoxious, there was any thing ſaid about ſetting aſide the preſent Queen? the Doctor anſwer'd, He did not remember there was. And yet it appears, that about the ſame time there was a pamphlet under their Lordſhips conſideration, entitled, *Reaſons for addreſſing his Majeſty to invite into* England *their Highneſſes the Electreſs Dowager, and the Electoral Prince of* Hanover: wherein it is ſaid, That it appears from hiſtory, that all free people have ſet aſide the children of tyrants, for reaſons of eternal and univerſal force, as inheriting the principles and deſigns of their parents, bearing an affection to their friends, and owing a revenge to their enemies, *&c.* And their Lordſhips were ſo well ſatisfied of the drift of this clauſe, and others of the like nature, that they reſolv'd, The pamphlet contain'd inſinuations ſcandalous and dangerous, tending to alienate the affections of the ſubjects from her Majeſty, and to diſturb the

1 ANNÆ, 1702. the peace and quiet of the Kingdom. That there was a party of men who dreaded her Majeſty's acceſſion to the Crown, is not to be doubted, as has been hinted before; but that there was a form'd deſign to exclude her, is an aſſertion that requires better authority to ſupport it, than I have yet met with.

Addreſs that the Allies might no more trade with France. Both Houſes of Parliament jointly addreſs'd the Queen the 21ſt of *May*, ſhe would engage the Emperor, the States General, and her other Allies, to join with her Majeſty to prohibit all intercourſe by Letters, or otherwiſe, with *France* and *Spain*, and that ſhe wou'd concert meaſures with the States for the ſecurity of trade. And two days after the Lords addreſs'd the Queen that ſhe wou'd give encouragement to privateers, and to thoſe who ſhou'd make attempts on the *Spaniſh Weſt Indies*; ſince by the 6th article of the Treaty concluded between the late King, the Emperor, and the States, the *Engliſh* were to retain all they ſhould make themſelves maſters of in the *Spaniſh* Dominions in *America*. But unfortunately this advice was neglected, tho' this was almoſt the only article whereby the *Engliſh* cou'd hope to be gainers by the war. In the mean time, how much blood and treaſure was laviſh'd away in ſieges and battles in *Flanders!* where we cou'd expect little more than the honour of the conqueſt, or to aggrandize ſome particular families.

Addreſs for encouraging Privateers in the Weſt Indies.

May the 25th the Queen came to the Houſe, and having given the Royal Aſſent to ſeveral publick and private Bills, her Majeſty made a Speech, thanking them for their great care of the publick, and the many marks they had given of their affections to her: She thank'd the Commons in particular for their ſupplies, and making good the deficiencies, and recommends to them all the

Queen's Speech at the riſing of the Parliament.

preſer-

preſervation of the publick peace, and a due execution of the Laws. She cautioned them againſt heats and animoſities. She ſaid ſhe ſhou'd be very careful to preſerve and maintain the Act of Toleration, and ſet the minds of all her people at quiet: That her own principles muſt always keep her entirely firm to the intereſts and religion of the Church of *England*, and wou'd incline her to countenance thoſe who had the trueſt zeal to ſupport it. 1 ANNÆ. 1702.

And then the Parliament was prorogu'd to the 7th of *July* following.

Acts paſs'd 13 *W.* III. and 1 *Annæ*.

An Act for reviving and continuing an Act, intitled, An Act for the appointing Commiſſioners to take, examine, and determine the debts due to the Army, Navy, and for Tranſport ſervice; and alſo an account of the Prizes taken during the late War. Cap. 1.

An Act for puniſhing of Officers and Soldiers that ſhall mutiny or deſert in *England* and *Ireland*. Cap. 2.

An Act for the Attainder of the pretended Prince of *Wales* of high Treaſon. Cap. 3.

By this Act, whoever keeps any intelligence or correſpondence with the ſaid Prince, by Letters, or otherwiſe, or with any perſon employ'd by the ſaid Prince, knowing him to be ſo, or ſhall pay money knowingly for his uſe, ſhall be adjudg'd guilty of high Treaſon. *Correſponding with the Pretender high Treaſon.*

An Act for continuing an Act, intitled, An Act that the ſolemn Affirmation and Declaration of the people call'd Quakers, ſhall be accepted inſtead of an Oath in the uſual form. Cap. 4.

An

1 ANNÆ. 1702. Cap. 5. An Act for granting an aid to his Majeſty by laying duties upon Malt, Mum, Cyder and Perry.

Cap. 6. An Act for the further ſecurity of his Majeſty's perſon, and the Succeſſion of the Crown in the Proteſtant Line, and for extinguiſhing the hopes of the pretended Prince of *Wales*, and all other pretenders, and their open and ſecret abettors.

Officers and Eccleſiaſtical perſons, &c. oblig'd to take the Abjuration Oath. By this Act, all perſons in offices, civil or military, or who ſhall receive pay, fee, or wages, by any grant from the Crown, or have any command or place of truſt under his Majeſty, or by his authority, or deriv'd from him; all Eccleſiaſtical perſons, members of Colleges or Halls, in either Univerſity, of the foundation, and 18 years of age; all perſons teaching Pupils, Schoolmaſters, Uſhers, Preachers and Teachers of ſeparate Congregations, Serjeants at Law, Counſellors, Attornies, Solicitors, Proctors, Clerks or Notaries ſhall take the Oath of Abjuration either in the Courts at *Weſtminſter*, or Quarter Seſſions where they reſide.

Penalty of neglecting. Perſons neglecting to take the ſaid Oath, their places and offices ſhall be void.

Diſability, forfeiture of office, and 500 l. Every perſon who after ſuch neglect ſhall execute any of the aforeſaid offices or employments, by himſelf, his deputy, or truſtee, being lawfully convict, ſhall be diſabled to ſue in any Court of Law or Equity; to be Guardian, Executor, or Adminiſtrator; or be capable of a Legacy or Deed of Gift; or to be in any office, and ſhall forfeit 500 *l.* to him that will ſue for it.

Proviſo, That any one who by neglect or refuſal loſe any office, may be capable of a new grant thereof, or of any other, upon taking the ſaid Oath.

No

No Peer to ſit or vote in the Houſe, by proxy or otherwiſe, till he has taken the ſaid Oath: Nor any member of the Commons in that Houſe, after a Speaker choſen, on pain of being adjudg'd a Popiſh Recuſant convict, diſabled to hold any place, to ſit in either Houſe, or make his proxy, or to ſue in any Court of Law or Equity, to be Guardian, Executor, or Adminiſtrator, or capable of a Legacy or Deed of Gift, and ſhall forfeit for every wilful offence 500 *l.* to him that will ſue for it. 1 ANNÆ, 1702. *Peers and members of Parliament incur the ſame pains for the neglect.*

Proviſo, not to make void offices of inheritance, where the deputy is qualified himſelf as aforeſaid.

This Act ſhall not extend to high Conſtables, petty Conſtables, or other pariſh officers, or to the Keepers of Foreſts, Parks, *&c.* or to Bailiffs of Manors, or the like private offices.

By this Act, the compaſſing the death of the Princeſs *Anne*, or compaſſing to prevent her ſucceeding to the Crown, was declared to be high Treaſon. *Treaſon to conſpire the death or excluſion of the Princeſs* Anne.

See the Abjuration Oath, and the other Oaths, and the Declaration required to be made and taken by perſons admitted into any office or benefice, *&c.* hereafter, in the 6 *Annæ*, *cap.* 23.

The Seſſions of Parliament, 13 *W.* III. continued by the Acts of Settlement to the firſt of Queen *Anne*.

An Act for the better ſupport of her Majeſty's houſhold, and of the honour and dignity of the Crown. 1 ANNÆ, Cap. 7.

By this Act, the ſame revenue is ſettled upon Queen *Anne* for life, as was ſettled upon King *William*.

An Act for explaining a Clauſe in an Act made at the Parliament begun and holden at *Weſtminſter*, the two and twentieth day of *Novem-* Cap. 8.

1 ANNÆ, 1702. *ber*, in the ſeventh year of the Reign of our Sovereign Lord King *William* III. intituled, An Act for the better Security of his Majeſty's Royal Perſon and Government.

Officers to hold their places ſix months after a demiſe of the Crown.

By this Act, no Patent or Grant of any office, civil or military, ſhall be void by the demiſe of her Majeſty, her Heirs or Succeſſors, but ſhall continue in force ſix months next after ſuch demiſe, unleſs made void by the Succeſſor.

Proceſs not to be diſcontinued by a demiſe.

No Writ, Plea or Proceſs, upon any indictment or information, or for any debt due to her Majeſty, her Heirs or Succeſſors, for Lands, Tenements or Hereditaments, belonging to her or them, depending at the time of any demiſe, ſhall be diſcontinued thereby.

Commiſſions of Aſſize, General Gaol delivery, Oyer and Terminer, or Aſſociation, Writs of Admittance, *Si non omnes*; Aſſiſtance or Commiſſion of the Peace ſhall not be determin'd by ſuch demiſe, but be in force ſix months after, unleſs ſuperſeded by the Succeſſor.

No Writ original, or of *Niſi prius*, Commiſſion or proceeding whatſoever, of any Court of Equity, or upon any Office or Inquiſition, or any Writ of *Certiorari*, *Habeas Corpus*, Attachment or Proceſs of Contempt, Commiſſion of Delegacy, or Reviews for matters eccleſiaſtical, teſtamentary, or marine, or Proceſs thereon, ſhall be diſcontinued by ſuch demiſe. This Act to extend to *Ireland*, *Jerſey*, *Guernſey*, and the Dominions of this Crown in *America*.

Cap. 9. An Act for continuing the Act made in the eighth year of his late Majeſty's Reign, for better preventing the counterfeiting the current Coin of this Kingdom.

Cap. 10. An Act for taking, examining, and ſtating the publick Accounts of this Kingdom.

An Act for reviving the Act, intituled, An Act for exempting Apothecaries from ſerving the offices of Conſtable, Scavenger, and other Pariſh and Ward offices, and from ſerving upon Juries. 1 ANNÆ, 1702. Cap. 11.

An Act for granting an aid to her Majeſty by divers Subſidies, and a Land tax. Cap. 12.

By this Act 4*s.* in the pound was granted for one year, from *Lady-day*, 1702.

An Act for making good Deficiencies, and for preſerving the Publick Credit. Cap. 13.

An Act for enabling her Majeſty to appoint Commiſſioners to treat for an union between the Kingdoms of *England* and *Scotland*. Cap. 14.

An Act to aſcertain the Water meaſure of Fruit. Cap. 15.

An Act for the enlarging and encouraging the *Greenland* trade. Cap. 16.

An Act for continuing and amending the Act made in the ninth year of his late Majeſty's Reign, intituled, An Act for the ſettling and adjuſting the proportions of fine Silver and Silk, and for the better making of Gold and Silver thread, and to prevent the Abuſes of the Wire-drawers. Cap. 17.

An Act to explain and alter the Act made in the two and twentieth year of King *Henry* VIII. concerning repairing and amending of Bridges in the Highways; and for repealing an Act made in the twenty third year of Queen *Elizabeth*, for the re-edifying of *Cardiffe* Bridge in the County of *Glamorgan*; and alſo for changing the day of Election of the Wardens and Aſſiſtants of *Rocheſter* Bridge. Cap. 18.

An Act for the rebuilding and repairing the Piers of the Town and Port of *Whitby* in the County of *York*. Cap. 19.

1 ANNÆ, 1702. An Act for making the River *Darwent*, in the County of *York*, navigable.

Cap. 20. An Act for preventing frauds in the Duties

Cap. 21. upon Salt, and for the better payment of Debentures at the Cuſtom-houſe.

Cap. 22. An Act to declare the alterations in the Oath appointed to be taken by the Act, intituled, An Act for the further ſecurity of his Majeſty's Perſon, and the Succeſſion of the Crown in the Proteſtant Line, and for extinguiſhing the hopes of the pretended Prince of *Wales*, and all other pretenders, and their open and ſecret Abettors, and for declaring the Aſſociation to be determin'd.

Cap. 23. An Act for raiſing the Militia for the year One thouſand ſeven hundred and two, notwithſtanding the month's pay formerly advanced be not repaid.

Cap. 24. An Act for the continuing the preſent Sheriffs in *England* and *Wales* until the firſt day of *Hillary* Term next, unleſs her Majeſty ſhall think fit to determine them ſooner.

Cap. 25. An Act for the relief of poor Priſoners for Debt.

Cap. 26. An Act for the relief of Maſters of Hoys, and other Veſſels, carrying Corn, and other inland Proviſions, within the Port of *London*.

Cap. 27. An Act for the importation of fine *Italian* thrown Silk.

Cap. 28. An Act for importing into *England* thrown Silk, of the growth of *Sicily*, from the Port of *Leghorn* in *Italy*.

Cap. 29. An Act for the continuing the impriſonment of *Counter*, and others, for the horrid Conſpiracy to aſſaſſinate the Perſon of his late ſacred Majeſty King *William* III.

Cap. 30. An Act to oblige *Jews* to maintain and provide for their Proteſtant Children.

By

By this Act, if a *Jew*, in order to induce any of his Proteſtant Children to change their Religion, refuſe them a proper maintenance; the Lord Chancellor, Keeper, or Commiſſioners of the Great Seal, may make ſuch order for the maintenance of ſuch Child as they think fit. 1 ANNÆ, 1702.

An Act for making more effectual the proviſion out of the forfeited Eſtates in *Ireland*, for the building of Churches, and augmenting ſmall Vicarages in *Ireland*. Cap. 31.

An Act for the relief of the Proteſtant purchaſers of the forfeited Eſtates in *Ireland*. Cap. 32.

In this month two Proclamations were publiſh'd, the one for recalling *Engliſh* ſeamen out of the ſervice of foreign States, and the other for a general Faſt for the ſucceſs of her Majeſty's arms.

Promotions in the Navy, &c. Prince George made Lord High Admiral.

About this time her Majeſty was pleas'd to appoint his Royal Highneſs the Prince of *Denmark*, Lord High Admiral of *England* and *Ireland*, and Sir *George Rook* Vice-Admiral of *England*, and Lieutenant of the Navies and Seas of this Kingdom; *George* Earl of *Northampton* was ſworn of the Privy-Council; the Earl of *Abington* was conſtituted Governor of the *Tower*, and Lieutenant General *Churchill* Lieutenant of the *Tower*.

While the Allies abroad were buſied in the ſiege of *Keyſerwaert*, which was drawn out to great length, occaſion'd by the wetneſs of the ſeaſon, and the frequent opportunities the enemies found of throwing in freſh men, as well as proviſions, into the place, the *French* attempted to ſurprize *Nimeguen*, and were within half an hour of effecting their deſign; of which the Earl of *Athlone* gave the following relation in a Letter to the States-General.

1 ANNÆ, 1702.

The Earl of *Athlone*'s Letter concerning the march of the *French* army to *Nimeguen*.

High and Mighty Lords,

Account of the diſtreſs of Nimeguen.

I Wrote to your Lordſhips yeſterday with my own hand, that the enemy were in full march, and were making their way towards *Gog*, between *Niers* and the *Cleviſh*, in order to cut me off from the *Grave* and *Nimeguen*; whereupon I immediately, with the advice of all my Generals, reſolv'd to decamp, and therefore order'd the baggage and artillery to be ſent away. But the horſes being then in the meadows, they could not be ready till between eight and nine at night, when I firſt detach'd Major General *Rhoo* with ſix ſquadrons of horſe, and two regiments of dragoons, to poſſeſs himſelf of the eminences above *Mook*, before the enemy cou'd come up. But the dragoons going aſtray from him in the night, he march'd towards *Grave*; which he made, and return'd in the morning. I afterwards detach'd the Duke of *Wirtemburgh* with ten or twelve ſquadrons, in order to ſecond the ſaid Major General; who had the misfortune alſo not to meet with him, but poſted himſelf on another eminence above *Mook*; whereupon I follow'd with all the horſe, making the foot take another way from *Groeſbeck* to *Nimeguen*; and being come a good half league out of the defile with the head of the cavalry, the Duke of *Wirtemburgh* ſent me word that ſome ſquadrons appear'd; whereupon I deſir'd the ſaid Duke to diſcover their number, and be pleas'd to retire to me if he found them too many to engage. And as I a little after was riding towards him with Count *Tilly*, he ſent an Adjutant to me, to let me know, that he computed them to be between twenty five and thirty ſquadrons; whereupon he wheel'd

wheel'd about immediately, and came towards me in very good order: In the mean time I order'd my horſe to put themſelves in battalia, and ſome ſmall ſkirmiſhes happen'd between him and the enemy from time to time, which nevertheleſs were of no great conſequence. The enemy making a halt as they perceiv'd us advancing towards the ſaid Duke's aſſiſtance, we made our retreat from thence in good order to the infantry, and the enemy follow'd ſlowly; nay, even ſo, that we almoſt judg'd them to be but a detachment, and not the whole army. But I obſerving nevertheleſs, that they had made a ſignal by blowing up ſome gun-powder, I reſolv'd, with the advice of the Generals about me, to march towards *Nimeguen*, ſending a detachment of four battallions towards the *Grave*; which I hope are got in there. The enemy being in the mean time join'd by all their horſe, and perceiving our reſolution, follow'd us with a much quicker motion; and being come about the height of St. *Anne*, began to preſs us very hard, and at the beginning puſh'd our horſe and foot a little; but that was immediately remedied, and they were bravely repuls'd. After which they were join'd by their foot and artillery, and we continu'd to retire till we were among the works of *Nimeguen*. Seeing their front was much larger than ours, I had two hours before ſent orders to the artillery that was not with us, to retire under the cannon of the city; but it ſeems they cou'd not march with ſuch expedition; but that eight ſmall field-pieces, being three pounders, with ſome waggons with gun-powder, which were cut off from the reſt of the artillery by the baggage, fell into the enemies hands. We have loſt but few men in this action, but their cannon however have done ſome conſiderable damage to

1 ANNÆ, 1702.

1 ANNÆ, 1702. our horſe; whereof I cannot as yet mention the number kill'd. The enemy are ſtill before this city, but have again withdrawn their cannon, making ſeveral movements, now to the left, and then to the right: And according to my opinion, they will this evening go and encamp about *Dukenburgh*; I cannot tell if they have a deſign againſt *Grave*. I hope General *Fagel* has thrown himſelf into that place; who left me an hour after I had detach'd the aboveſaid four battallions. I am now diſſembarraſſing the counterſcarp of this city, and ſending the baggage on the other ſide, as I ſhall be oblig'd to do part of the horſe; and ſhall leave no more in the works than ſhall be requiſite, which I have provided with twenty battallions that remain with me. I am very ſorry I cou'd not otherwiſe make this retreat; but the enemy, according to the report of all the deſerters, were much ſuperior to your High and Mightineſſes army under my command. 'Tis alſo ſaid, that they have been join'd by all their detachments, and even by Count *Tallard*, and the greateſt part of his body; which the Prince of *Naſſau Saarbruck* has confirm'd to me this morning by his letters. I hope my zeal for your High and Mightineſſes ſervice will be acceptable to you, it being uſual to yield to the ſuperior power. Our troops are in good condition, and very reſolute. 'Tis computed, not reckoning the cannon which we left behind, that the enemies loſs is much greater than ours,

I remain, *&c.*

ATHLONE.

Keyſerwaert *capitulates.* The *French* not being able by any diverſion to oblige the Confederates to raiſe the ſiege of *Keyſerwaert*, on the 15th the garriſon capitulated, having

having held out a ſiege of two months; in which the beſiegers ſuffer'd ſo much, that part of the army was ſent into quarters of refreſhment. General *Coehorn* having been detach'd with a body of 10000 men to demoliſh the *French* lines in *Flanders*, enter'd the lines and levell'd them, made himſelf maſter of fort St. *Donat*, and laid great part of the Chaſtellaine of *Bruges* under contribution: But upon the approach of the Marquis of *Bedmar*, and Count de la *Motte*, he was oblig'd to retire under the walls of *Sluice*; and to prevent their retaking fort St. *Donat*, he laid the country under water. 1 ANNÆ, 1702.

There having been great naval preparations made this ſpring both in *England* and *Holland*, for a deſcent upon the enemies coaſt, on the 30th of *May* Sir *George Rook* arriv'd at *Spithead*, on board the *Royal Sovereign*, with the reſt of the ſhips deſign'd for that expedition; and a camp was mark'd out in the Iſle of *Wight* for the land forces which were intended to ſerve on board. On the 3d of *June* his Royal Highneſs the Prince of *Denmark* arriv'd in the Iſle of *Wight*, and took a view of the land forces, and on the 4th din'd with Admiral *Rook* on board the *Royal Sovereign*. *The grand fleet rendevouz at* Spithead.

In the beginning of *June* her Majeſty was pleas'd to appoint *Simon Harcourt*, Eſq; to be Solicitor General, and to confer the honour of Knighthood both upon him and Mr. *Northey* the Attorney General. In the ſame month great alterations were made in the Lieutenancy, and the following promotions were made of general officers, *viz.* The Earl of *Rivers*, and *Charles Churchill*, Eſqrs; were made Lieutenants General. Sir *Charles Hara*, *William Selwin*, and *Richard Ingoldſby*, Eſqrs; Majors General. And the Earl of *Arran*, the Lord *Windſor*, *Cornelius Wood*, *Hatton* Simon Harcourt *Eſq*; *made Solicitor General.* *Promotion of general officers.*

1 ANNÆ, 1702. *Hatton Compton*, *William Lloyd*, *Guſtavus Hamilton*, and *William Seymour*, Eſqrs; Brigadiers General: And *William Mathews*, Eſq; Brigadier General of her Majeſty's Guards. And on the 14th the Prince of *Denmark* was conſtituted Conſtable of *Dover* Caſtle, and Lord Warden of the Cinque Ports. The honourable *John Granville*, Eſq; was appointed Lord Warden of the Stannaries, and the Earl of *Carberry* Governor of *Milford* Haven, and the reverend Mr. *William Nicholſon*, Archdeacon of *Carliſle*, was conſecrated Biſhop of that Dioceſe.

Prince George *made Lord Warden of the Cinque Ports.*

His Royal Highneſs was pleas'd to appoint *Charles* Earl of *Winchelſea* Lieutenant of *Dover* Caſtle and the Cinque Ports. And the Lord Viſcount *Weymouth*, the Lord *Dartmouth*, and Sir *John Trevor*, Maſter of the Rolls, Sir *Thomas Trevor*, Lord Chief Juſtice of the Common Pleas, and the honourable *John Granville*, Eſq; were ſworn of her Majeſty's Privy Council. And the latter end of this month a great many new Lord Lieutenants were made. And the Earl of *Marlborough* was made Maſter of the Ordnance, the honourable *John Granville*, Eſq; Lieutenant General, *William Bridges*, Eſq; Maſter Surveyor, and *Chriſtopher Muſgrave*, Eſq; Clerk of the Ordnance; and Sir *Thomas Littleton*, Bart. was confirm'd in his place of Treaſurer of the Navy.

Privy Counſellors.

Other promotions.

Fuller *the impoſtor try'd.*

The 20th of *May William Fuller*, that infamous impoſtor, who had ſo often abus'd the patience both of the Lords and Commons, on pretence of making ſome notable diſcoveries concerning the birth of the Prince of *Wales*, was brought to his tryal at the King's-bench bar, upon an information, for contriving and publiſhing ſeveral ſcandalous libels: The information ſet forth, That the defendant being an impoſtor, and a common lyar, and maliciouſly contriving and

and intending the late King *William* and his ſubjects to delude and deceive, and breed diſcords between the late King and his Peers, and other great officers and ſubjects to excite and ſtir up, and to bring the ſaid Peers, great officers and ſubjects, into hatred and contempt with the ſaid King: And in order fraudulently to obtain money of the ſaid late King, he the ſaid *William Fuller* did falſly, maliciouſly, and ſcandalouſly write and print a falſe, ſcandalous, and defamatory libel, entitled, *Original Letters of the late King* James, *&c.* 1 ANNÆ, 1702.

It appear'd at this tryal, that *Fuller* had been cenſur'd by the Houſe of Commons in the year 1691 for crimes of the ſame nature; and that he had been convicted and puniſh'd for them: Notwithſtanding which he ſtill perſiſted in his villainous practices. It appear'd alſo that he had apply'd himſelf to the chief miniſters at Court, and pretended to make great diſcoveries concerning the birth of the Prince of *Wales:* And tho' theſe ſtories were ſo fooliſhly laid together, they cou'd never obtain any credit even with thoſe whoſe intereſt it was they ſhould be true; yet the common people at this day give great credit to them, and found their allegiance upon *Fuller*'s veracity. *Fuller* wou'd have trifled with the Court of King's Bench, as he had formerly done with the two Houſes of Parliament, pretending, that if he might have time he wou'd produce witneſſes to make good what he affirm'd: But the Lord Chief Juſtice wou'd admit of no farther delays; and having given his directions to the Jury, they found him guilty without going from the bar: and he was condemn'd to ſtand three times in the pillory; to be afterwards ſent to the houſe of correction, there to be whipp'd, and kept to hard labour till the 24th of *October* following; to pay a fine of a thouſand marks, and

He pretends to prove the Prince of Wales *ſpurious.*

He is convicted, pillor'd, whipt, &c.

1 ANNÆ, 1702. and to remain in priſon 'till it was paid; which ſentence was executed upon him.

Scots *Parliament meet.*

The Parliament of *Scotland*, as they were call'd, (being no other than the Convention that aſſembled at the Revolution) were by the Duke of *Hamilton*, and thoſe of his Party, look'd upon as diſſolv'd by the death of King *William*; and, as to this point, the Duke deſir'd to be heard at the meeting of the Parliament on the 9th of *June*, before the Queen's Commiſſion was read.

Duke Hamilton's *ſpeech to them.*

He ſaid, in behalf of himſelf, and the other members who adher'd to him, that they were all heartily glad at her Majeſty's happy acceſſion to the throne of that Kingdom; not merely on the account that it was her undoubted right by deſcent, but likewiſe becauſe of the many perſonal virtues and royal qualities her Majeſty was endowed with; which gave them grounds to hope that they ſhould enjoy, under her auſpicious Reign, all the bleſſings that could attend a Nation, which had a gracious and loving Sovereign united with a dutiful and obedient People. That they were reſolved to ſacrifice their lives and fortunes in defence of her Majeſty's right againſt all her enemies whatever. But that at the ſame time as they acknowledg'd their ſubmiſſion to her Majeſty's authority, they thought themſelves bound in duty, by virtue of the obedience they owed to the ſtanding Laws of the Nation, and becauſe of the regard they ought to have for the Rights and Liberties of their fellow ſubjects, to declare their opinion as to the legality of that meeting; that they did not think themſelves warranted by Law to ſit and act any longer as a Parliament, and that by ſo doing they ſhou'd incur the hazard of their lives and fortunes, if ever their proceedings ſhould come to be queſtioned by a ſubſequent Parliament. Then his

his Grace read a paper, containing theſe words: Foraſmuch as by the fundamental Laws and Conſtitution of this Kingdom, all Parliaments do diſſolve by the death of the King or Queen, except in ſo far as innovated by the 17th Act, 6th Seſſion of King *William*'s Parliament, impowering the Parliament laſt in being, at his Majeſty's death, to meet and act what ſhould be needful for the defence of the true Proteſtant Religion, as now by Law eſtabliſh'd, and maintaining the Succeſſion to the Crown as ſettled by the claim of Right, and for preſerving and ſecuring the peace and ſafety of the Kingdom. And now ſeeing that the ſaid ends are fully ſatisfied by her Majeſty's ſucceſſion to the Throne, whereby the Religion and Peace of the Kingdom is ſecured, we conceive our ſelves not warranted by this Law to meet, ſit, or act; therefore do diſſent from all that ſhall be done, and thereupon take inſtrument. The Duke having accordingly taken inſtruments, he went out of the Houſe, but without giving in his paper. Thereupon the Clerk Regiſter, and ſeventy nine of the members declar'd, that they adher'd to Duke *Hamilton*'s paper, and likewiſe took inſtruments, and withdrew. But nevertheleſs the Duke of *Queenſberry*'s Commiſſion to be her Majeſty's high Commiſſioner this Seſſion being read, her Majeſty's Letter to the Parliament was preſented by the Lord Commiſſioner, running as follows. 1 ANNÆ, 1702.

ANNE R.

My Lords and Gentlemen,

Queen's Letter to the Scots *Parliament*

AFter the great loſs theſe Nations, and all *Europe*, have ſuſtained by the death of the late King, our Royal and moſt dearly beloved Brother,

1 ANNÆ, 1702. Brother, of ever bleſſed memory, we were much encouraged, upon our entring into the Adminiſtration of the Government of that our ancient Kingdom, by the hope of finding in you the continuance of that fidelity and zeal, of which you gave ſo ſignal proofs in the reign of our glorious Predeceſſor. It ſhould have been our great ſatisfaction, at this our firſt acceſſion to the Crown, to have met with you in Perſon, that from our own mouth we might have given our people full aſſurance of our ſincere intentions towards their true welfare and happineſs; but the multiplicity of weighty and important affairs, in which we are engaged at preſent, depriving us of that opportunity, we would not on that account delay your meeting any longer. And that nothing may be wanting on our part for the ſatisfaction of our ſubjects, whoſe affection we ſhall always look upon as our greateſt ſecurity, and value above all other advantages; we give you full aſſurance, that we are firmly reſolved to maintain and protect them in the full poſſeſſion of their Religion, Laws and Liberties, and of the Preſbyterian Government of the Church, as at preſent eſtabliſhed.

It pleaſed God to make the late King the great inſtrument of delivering of our people from Popery and arbitrary Power, and of reſtoring to them their ancient Rights and Privileges, and through the ſame divine grace we ſhall, in the whole courſe of our Reign, aim at nothing more than the preſerving to them theſe advantages, and the contributing, as much as in us lies, for their further ſecurity in the enjoyment of them.

The exorbitant power of the *French* King threatning the Liberties of all *Europe*, and his owning the pretended Prince of *Wales* as King of

of theſe our Dominions, influencing alſo *Spain* to concur with him in that indignity, tending viſibly to the ſubverſion of the Proteſtant Religion, and the ruin of our ſubjects in all that is dear to them; have obliged us, in purſuance of an expreſs Article of the Treaty entred into by the late King, and our Allies, to declare war in this, as well as our other Dominions, againſt *France* and *Spain*; wherein we confidently expect your hearty concurrence and aſſiſtance both for the honour and ſafety of the Kingdom; not doubting but you are affected with the ſame ſenſe of theſe wrongs and indignities, and the other juſt cauſes of war, as did appear in the many loyal Addreſſes preſented by our ſubjects upon that occaſion. 1 Annæ 1702.

Wherefore being moſt aſſured of your care and concern in this matter, we earneſtly recommend to you the providing the competent ſupplies for maintaining ſuch a number of forces as may be neceſſary for preventing and diſappointing the deſigns of our enemies, and preſerving the happy Settlement you now enjoy.

The late King, our Royal Brother, did, before his death, very earneſtly recommend to his Parliament of *England*, the conſideration of the union between the two Kingdoms of *Scotland* and *England*; which being ſo neceſſary for the ſecurity and happineſs of both, we did, at our acceſſion to the Crown, again ſeriouſly recommend the ſame to them; and they having proceeded to impower us by an Act of Parliament to name Commiſſioners to treat of an union, we doubt not but you will do what is neceſſary on your part; and we ſhall contribute our utmoſt endeavours towards the accompliſhment thereof; and ſhall eſteem it our happineſs to eſtabliſh the Nations on ſo ſure a foundation.

We

1 ANNÆ, 1702. We have appointed our right truſty and right entirely beloved Couſin and Counſellor, *James*, Duke of *Queenſberry*, to be our Commiſſioner to repreſent our Royal Perſon in this Seſſion of our Parliament, being fully ſatisfied of his great abilities and fidelity for diſcharging that truſt; and no leſs perſuaded that the proofs he hath given thereof upon the like occaſion, will render him to you acceptable. We have fully inſtructed him with our mind, and have impower'd him to give our aſſent to ſuch Laws as ſhall be propoſed for the ſecurity of our ſubjects in their concerns civil and religious. And therefore we deſire ye may give him intire truſt and credit.

It will be very ſatisfying to us, that effectual methods be taken for promoting of Religion, Virtue, and true Piety, and ſuppreſſing Vice and Immorality, for advancing and encouraging Trade, and for employing and providing for the Poor. And ſeeing now, in the beginning of our Reign, we have recommended nothing but what is for the ſecurity and happineſs of that our ancient Kingdom, we hope that you will with unanimity diſpatch what comes before you; and we expect, by your prudence and conduct, this Seſſion of Parliament ſhall be brought to ſuch a happy concluſion, as ſhall lay the foundation of that firm union, and true underſtanding, betwixt us and our people, as is neceſſary for the happineſs of both. And ſo we bid you heartily farewel.

Given at our Court at St. *James*'s, the 15th day of *May*, 1702, and of our reign the firſt year.

By her Majeſty's Command,

SEAFIELD.

The

The Queen's Letter being read, the Duke of *Queenſberry*, her Majeſty's High Commiſſioner, made a Speech. He ſaid, This being their firſt meeting in Parliament after the loſs of their late glorious Sovereign, they cou'd not forbear condoling his death: He was the great deliverer of theſe Nations, the defender of the Proteſtant intereſt, and the ſupport of the Liberty of *Europe*; and while Religion and Liberty were of any value, King *William*'s memory muſt be in perpetual honour.

ANNÆ, 1702.

High Commiſſioner's ſpeech to the Parliament.

That nothing cou'd repair their loſs but her Majeſty's happy acceſſion to the Crown, who from her infancy had given undeniable proofs of her affection to the Proteſtant Religion: That it was a great bleſſing that they had a Queen with ſuch principles of the Royal Blood, and Line of *Scotland*, and eſpecially a Princeſs who had been amongſt them, and had a particular regard for them.

That her Letter gave them the moſt deſirable aſſurances of her firm reſolution to protect their Religion, Liberty and Laws, and particularly the Preſbyterian eſtabliſh'd Government; and that her Majeſty had call'd them together, and afforded them this early opportunity of congratulating her acceſſion to the Government, and making her ſuch offers of duty as were neceſſary for the ſupport of her authority, and their own preſervation.

That the preſent, juſt and neceſſary war, requir'd ſupplies for the ſecurity of the Government, and the publick ſafety of the Nation.

That nothing cou'd contribute more to the intereſt of the Proteſtant Religion, and the ſecurity of the Conſtitution, than a union of the two Kingdoms; and there appear'd a greater diſpoſition in the *Engliſh* Nation now towards a

1 ANNÆ, 1702. union than cou'd ever be diſcover'd formerly, which was a great encouragement; and he hop'd they wou'd give them ſuitable returns.

Lord Chancellor's Speech. The Earl of *Marchmont*, the Lord Chancellor, alſo made a Speech; wherein he bewailed the loſs of King *William*, and congratulated their happineſs in ſuch a Succeſſor. He took notice of the Queen's reſolution to protect them in their Religion, Laws and Liberties, and to adhere to the Alliances, and follow the meaſures of her glorious Predeceſſor, for preſerving the Liberties of *Europe*, for maintaining the intereſt of her own Kingdoms, and for reſenting the indignity offer'd her, in the proclaiming the Prince of *Wales* King of her Majeſty's Dominions.

He ſaid, he hop'd they wou'd make her Majeſty ſuitable returns of duty and affection, by complying with her in whatever ſhe had propos'd, eſpecially ſince ſhe requir'd nothing of them but what was neceſſary to their own ſecurity and happineſs.

This Parliament paſs'd an Act for recognizing her Majeſty's authority; another declaring the preſent Parliament to be a lawful Parliament; and another for ſecuring the true Proteſtant Religion and Preſbyterian Church Government. Upon which there happen'd great Debates, and ſeveral warm Speeches; and among the reſt Sir *A. B.* made the following Speech, *viz.*

My Lord Chancellor,

Sir A. B.*'s Speech againſt the Bill for ſecuring the Presbyterian Religion.* I Have the honour of being an old ſervant to the Crown, and to my Country, and I am very ſorry to ſee what has now happen'd amongſt us; there was never ſuch a conjuncture in this Kingdom, nor can imagination form a more diſmal proſpect. I own, that my wiſhes agreed with the univerſal opinion of a new Parliament, judging

judging that to be moſt for the honour and ſervice of the Queen, and for the ſatisfaction of the whole Nation, with which the ſaving or ſupporting a few unhappy inſtruments of the late adminiſtration, is never to be put into the balance. 1 ANNÆ, 1702.

Yet without knowing or enquiring into the motives for continuing us, I ſubmit my own judgment, and chuſe to ſtay within doors, that malice it ſelf may find no objection againſt my obedience to the Queen, or my reſpect to her High Commiſſioner.

But by ſtaying in this Aſſembly, I do not mean in the leaſt to renounce any liberty of ſpeaking my thoughts very freely, though they may be very different from thoſe of others. And the ſubject at preſent before us being the Preſbyterian Government, I ſhall give my opinion on that head in very fair words, and very plain language.

My Lord, we may all remember in what manner, and for what reaſons, the zeal of this Houſe pull'd down Epiſcopacy at the Revolution. It had been the legal Eſtabliſhment for many years before; and it was always formerly the Government of our Church, in orderly times of peace and loyalty.

It is a very melancholy reflection, to conſider how many excellent Paſtors we loſt by that alteration; for pray give me leave to ſay impartially, that our pulpits were fill'd with a ſet of men at that time, who for good life, and good doctrine, were inferior to no Church in Chriſtendom, in proportion to our number.

The miſery of theſe poor Gentlemen, and their ſtarving families at home, or their wandring in want over the world, has brought a reproach on our Country; and it is but a very

ANNÆ, 1702. indifferent charm to invite any Country in the world to unite with us while we are in this ſituation.

The reaſon we gave to the world for our new fabrick of Preſbytery, was its being ſuitable to the inclinations of the people; and both our neighbour Nation and Strangers generally believ'd it to be ſo. But I wiſh we had firſt poll'd the Kingdom, to know their inclinations.

The Epiſcopal Clergy have always offer'd to put the cauſe upon that iſſue, being very confident of a vaſt inequality; and truly the force, and other extraordinary methods that were us'd in moſt places to pull them from their pariſhes, were no great proofs of the inclinations of their people againſt them. But ſeeing we pretend to go by this rule, and ſeeing the inclinations of the people may be very far from it at preſent, that we may not ſupport an error by publick authority, my humble opinion is, that it is both juſt and neceſſary, at this great period of time, and at the beginning of her Majeſty's Reign, to addreſs her Majeſty to take the propereſt methods of conſulting the inclinations of the Kingdom in this matter.

I am afraid our ſpiritual Rulers will oppoſe it as an ungodly numbring of the people, and they are not ignorant how little ground they have gained by their late dominion. But it is neither fair, nor excuſable, not to put it to a trial now, when themſelves are in the ſaddle, and poſſeſs'd of the chair with the means of influence.

For my part, without waiting for that occaſion, I declare my own judgment freely: I was formerly pretty indifferent, as many of us Gentlemen us'd to be in theſe points; we fancied it a kind of generoſity too to pity thoſe that were under the hatches. But now we have ſeen them

them in their own colours, and no argument like matter of fact. When our blood and our ſtomachs are in diſorder, we are for extraordinary meats, and ſometimes for mountebank receipts and experiments; but when our pulſe comes to beat more calmly, and we have a little recovered our health with a ſedate temper, our plain and natural ordinary food is not only more nouriſhing and healthy, but alſo more agreeable. 1 ANNÆ. 1702.

To be very plain, my Lord Chancellor, I have read, and heard, and ſeen a great deal of the old Preſbyterians, and I have practis'd many of the new ones; and for my part I have enough of them. I am perſuaded that King *James* VI. had reaſon for what he ſaid and wrote againſt the Puritans. He was bred by the bigots of that Sect, and his experience and knowledge of them brought him to hate them. As indeed, the breeding of a King to any ſort of bigotry is the readieſt way to give him an averſion to it, when he comes to make uſe of his own reaſon, and has more liberal converſation. Nor can I reflect, without indignation, on the Preſbyterians of the late rebellious times, who hatch'd and promoted, and too late repented the deſtruction of the beſt of Kings, whoſe birth was an honour to this Country.

I ſhall ſay nothing of the nature of this Government itſelf, while it is by Law eſtabliſh'd; and perhaps our modern Preſbyterians may be brought to renounce the maxims of their predeceſſors.

But of former times, I may ſafely ſay, that ſuch helliſh principles were advanced, and the practices ſo ſuitable to the principles, as gave a full demonſtration to the ſober part of the world, that Preſbytery was inconſiſtent with Monarchy;

1 ANNÆ, 1702. That the growing power, and unbounded ambition of the *French* King, and his owning the pretended Prince of *Wales* as King, having engaged her Majeſty in a juſt and neceſſary war, they ſhou'd be wanting to themſelves if they did not provide ſupplies for their defence.

And the union of the two Kingdoms had been ſo long deſir'd by all good men, that they were reſolv'd to proſecute her Majeſty's recommendation, and the advances already made by the Parliament of *England*, with ſuch a ſuitable return as might beſt contribute to accompliſh this great deſign.

The Duke of *Hamilton*, and his party, prepar'd an addreſs to the Queen, to juſtify their withdrawing themſelves, ſhewing, that by the Conſtitution of *Scotland*, the Convention or Parliament was diſſolv'd by the death of the late King; but her Majeſty refus'd to receive their addreſs, and adher'd to the Parliament, to whom ſhe ſent the following Letter.

ANNE R.

My Lords and Gentlemen,

Queen's ſecond Letter to the Scots Parliament.

BEing informed that at your firſt meeting, by virtue and warrant of the ſeventeenth Act of the ſixth Seſſion of this current Parliament, and of our Proclamation of adjournment agreeable thereto, ſeveral members of Parliament, after prayers, ſaid, and declining to wait the reading of our Commiſſion granted to *James* Duke of *Queenſberry*, repreſenting our Royal perſon in this meeting of Parliament, did preſume to declare openly, that they did not conceive themſelves warranted to meet and act in this preſent Seſſion of Parliament; and therefore diſſented from any thing ſhould be done or acted therein:

therein: And thereupon did take inſtruments, and withdrew and removed from their attendance. We have thought fit to ſignify to you our juſt reſentment of that irregular and unuſual proceeding, and our reſolution to own and maintain this preſent Seſſion of Parliament, and the dignity and authority of the ſame, and of our High Commiſſioner thereto, againſt all oppoſers: And this we thought fit to declare for your better encouragement, that you may proceed vigorouſly in your work for defence of the true Proteſtant Religion, the maintaining of the Succeſſion to the Crown, and for the preſerving and ſecuring of the peace and ſafety of the Kingdom. And ſo we bid you heartily farewel. 1 ANN. 1702.

Given at our Court at St. *James*'s the 17th day of *June* 1702, and of our Reign the firſt year.

The Parliament having paſs'd an Act for enabling her Majeſty to appoint Commiſſioners for an Union between the two Kingdoms, it was propos'd to ſettle the Succeſſion of the Crown in the Houſe of *Hanover*, as had been done in *England*; but there appearing a majority againſt ſettling the Succeſſion at this time, and the debates running very high, the Lord Commiſſioner thought fit to adjourn them on the 30th of *June*, having firſt commended their chearfulneſs and unanimity in recognizing her Majeſty, ſecuring the Proteſtant Religion, and Preſbyterian Church Government, and diſpatching thoſe other Acts for her Majeſty's ſervice, and the ſafety of the Kingdom. *The Scots Parliament riſe.*

After the ſiege of *Keyſerwaert*, the States General were pleas'd to compliment the Earl of *Marlborough* with the command of their forces; where- *Duke of* Marlborough *has the com-*

ANNÆ, 1702. whereupon he aſſembled the Confederate troops near *Nimeguen* in the beginning of *July*, and on the 17th he march'd with the army over the *Maeſe*, and encamp'd within two leagues and a half of the enemy, who lay entrench'd between *Goch* and *Gennep*. Here Prince *Erneſt Auguſtus*, the Elector of *Hanover*'s youngeſt brother, came to the army, in order to make a campaign with the Earl of *Marlborough*, and was pleas'd to accept of a Major General's commiſſion under him: And at the ſame time the Earl appointed the Colonels *Withers*, *Stanley*, and *Frederick Hamilton*, to be Brigadiers General. On the 26th the Confederate army repaſs'd the *Maeſe*; whereupon the *French* army decamp'd alſo and paſs'd that river. The Allies afterwards advanc'd to *Gravenbock*, and forc'd that garriſon to ſurrender priſoners at diſcretion: From hence they march'd to *Petit Brugel*, the *French* ſtill retiring before them, till at length they entirely abandon'd the *Spaniſh Guelderland*, to the great ſatisfaction of the States; who but a little before, when their army retir'd under the walls of *Nimeguen*, were in the utmoſt conſternation.

mand of the forces of the States General.

He drives the French *out of* Guelderland.

In *England* a Proclamation was publiſh'd the 2d of *July* for diſſolving the Parliament, and calling another, which was to meet the 20th of *Auguſt* following. In this month ſeveral promotions were made. The Duke of *Bolton* was made Warden of New Foreſt, and the Duke of *Newcaſtle* Governor of the town of *Kingſton* upon *Hull*; Brigadier *Cholmondly* was made a Major General, and Governor of *Tilbury* Fort, in the room of Brigadier General *Selwyn*, who died lately in his Government of *Jamaica*. The Earl of *Berkley* was appointed Conſtable of the Caſtle of *Brianels* in the Foreſt of *Dean*, and *Cuſtos Rotulorum* of the Counties of *Glouceſter* and *Surry*.

King William's *Parliament diſſolv'd.*

Promotions in the army, &c.

ry. The Earl of *Ranelagh* was made Receiver and Paymaſter General of her Majeſty's forces; *William Blathwait*, Eſq; was made Secretary of War, and the Lord *Walden* Commiſſary General of the Muſters, and chief Muſter-maſter of her Majeſty's forces. Major General *Earl* was made Governor of *Portſmouth*, *Robert Crawford*, Eſq; Governor of the fort of *Sheerneſs*, *Anthony Duncomb*, Eſq; Governor of the Caſtle of *Scarborough*, and *Henry Villars*, Eſq; Governor of the fort of *Tinmouth*. The Duke of *Somerſet* was made Maſter of the Horſe to her Majeſty, in the room of the Earl of *Pembroke*, who was made Preſident of the Council. The Lord *Wharton's* Patent, whereby he was conſtituted Warden and Chief Juſtice in *Eyre* of all the Foreſts, *&c.* on this ſide *Trent*, was revok'd, and the Duke of *Newcaſtle* was made Warden of the Foreſt of *Shirwood*, in the County of *Nottingham*; *John Tucker*, Eſq; was appointed Keeper and Regiſter of the papers and records of State. At this time the Country was buſy in the election of Parliament men, and the choice went generally in favour of thoſe who were friends to the Church and Monarchy: And now thoſe who wiſh'd well to both, were in the greateſt hopes of ſeeing them eſtabliſh'd on ſuch a foundation, as neither ſuperſtition, ſchiſm, or plebeian ſchemes ſhou'd be able to ſhake them for the future. They ſaw a Queen upon the Throne, whoſe zeal for the eſtabliſh'd Church, equall'd that of any of her Royal Predeceſſors. They ſaw a Houſe of Commons choſen who were ready to concur in any of her Majeſty's pious deſigns, for the eſtabliſhment of our holy Religion: And thoſe who were chief in the Adminiſtration, were hitherto look'd upon as faſt friends to the eſtabliſh'd Church: But notwithſtanding this promiſing proſpect, nothing is more

1 ANNÆ. 1702.

The friends of the Church carry the elections.

The expectations of the Nation thereupon.

1 ANNÆ, 1702. more evident, than that the event did not anſwer our expectations. But to what cauſe we are to aſcribe our misfortune, is the queſtion. It has been ſaid indeed, that a certain Aſſembly had been ſo modell'd in a late Reign, that much time was requir'd before a majority cou'd be made; and without their concurrence all other efforts muſt prove ineffectual: There they muſt expect for ſome years to meet with a conſtant oppoſition; how juſt this obſervation was, our own experience has taught us.

Others will have it, that the reaſon every propoſal for the ſecurity and eſtabliſhment of the Church drove ſo heavily, and met with ſuch oppoſition in the beginning of this Reign, proceeded from a defection of ſome great men who forſook her intereſts, tho' they continu'd in her communion; who pretended ſtill to ſtand up for her rights, while they were betraying her, and with ſpecious pretences drew many into their meaſures who deteſted their principles.

By this myſterious management, 'tis thought the Church receiv'd more prejudice than from all her open enemies combin'd together. And they appeal to our memories, if we were not brought at laſt to that paſs, that the ſureſt and moſt effectual recommendation to a place, was an inveterate enmity to the Church: What truth there is in either of theſe ſuggeſtions, we are now at leiſure to conſider. But if we aſk what cou'd be the occaſion of ſuch a defection, as is mention'd, we are bid to ſhift the ſcene, and obſerve what was doing on the other ſide the water, and then we may diſcover the ſource of this proceeding. There we ſhall ſee a certain State diſtreſs'd by a formidable enemy, who was even at their doors; and to whom ſhou'd they apply, to what miniſtry ſhou'd they addreſs themſelves for relief, but

to

to that they did apply to? And no doubt they made uſe of the moſt infallible means to ingratiate themſelves, if we may judge from the effects theſe negotiations had; for their auxiliaries ſoon became principals in the war, *in that conſuming land war*, as her Majeſty ſtiles it; the conſequence whereof being early foreſeen and oppos'd by ſome good patriots, rendred them the objects of thoſe Gentlemen's hatred who were moſt active in the Treaties; who, when they found their old friends were not like to concur with them in their projects, thought it time to caſt about for new ones, if ever they hop'd to be maſters of the golden fleece. 1 ANNÆ, 1702.

Nor was it difficult to find a ſet of men whoſe principles in Church and State exactly quadrated with their Allies on the other ſide the water: With theſe Gentlemen therefore they ſtruck in; and from this time look'd upon the friends of the eſtabliſh'd Church as their mortal enemies. They did, 'tis true, for ſome time ſmother their deſigns, that they might the more effectually ſuppreſs their enemies, and avoid the reſentment of their Royal Miſtreſs: But we have ſeen the time when they were leſs reſerv'd, and were not afraid openly to avow what might have been dangerous to have whiſper'd then; tho' they were not ill ſupported even at that time. They had a powerful neighbour their friend, a great Aſſembly far from being their enemies, and a ſtrong party among the people that were ready to enter into their meaſures, and go all their lengths. A piece of complaiſance they deſpair'd of in their old friends; and perhaps this was not their leaſt inducement for leaving them, for 'tis given as a reaſon why Whiggiſm generally prevails, tho' a majority of the people deteſt their principles; namely, That the Whiggs ſerve their patrons without

1 ANNÆ. 1702. reſerve, never enquiring into their conduct, or exerciſing it if it be enquir'd into. Whereas if a Tory ſees any miſmanagement, he will be talking of it, and turn ſhort upon a raſcal that wou'd plunder his Country: He will cry fire if he ſees a houſe in flames, tho' his friends are enriching themſelves with the ſpoils of it; which is a crime never to be forgiven.

Queen and Prince go to the Bath. The Prince of *Denmark* being very much indiſpos'd with his Aſthma this ſummer, was adviſ'd by his Phyſicians to go to the *Bath*, and her Majeſty, who was ever eminent for her conjugal affection, as another inſtance of it, reſolv'd to attend him thither: And accordingly her Majeſty and the Prince ſet out the 26th of *Auguſt* from *Windſor*, deſigning to lie at *Oxford* that night. At their entrance into *Oxfordſhire*, they were met by the Earl of *Abington*, Lord Lieutenant of that County, with the High Sheriff, and moſt of the Gentlemen of the County: And at ſome diſtance from *Oxford*, by the Vice-Chancellor, Doctors and Maſters in their robes on horſeback; and thus they were attended to Chriſt Church, where they ſupp'd. The next day the Queen was pleas'd to honour the Univerſity with her preſence in Convocation; where the Univerſity Orator congratulated her arrival amongſt them, and many of the Nobility and perſons of Quality took the degree of Doctor of Law. From the Convocation Houſe the Queen went to the Theatre, where ſhe was entertain'd with a conſort of vocal and inſtrumental muſick; and ſeveral pieces of poetry were exhibited, expreſſive of that honour and happineſs they enjoy'd by her Majeſty's preſence. Her Majeſty was afterwards entertain'd at dinner by the Univerſity, and then ſet out with the Prince for *Cirenceſter*; where ſhe lay that night, and the next day

Their reception at Oxford.

day reach'd the *Bath*. They were met by the High Sheriff and Gentlemen on the borders of the County of *Somerſet*, and within half a mile of the city by two hundred maids richly dreſs'd, and carrying Bows and Arrows like Amazons. And they were met at the Weſt gate of the city by the Mayor and Corporation in their formalities; who attended them to the Abby-houſe, which was prepar'd for their reception. The ſtreets were illuminated that night, and all imaginable expreſſions of joy appear'd at her Majeſty's arrival amongſt them; as had been ſeen alſo in every place thro' which ſhe paſs'd. 1 ANNÆ, 1702.

The grand fleet, with the land forces on board, conſiſting of about 12000 men, remain'd wind-bound at St. *Helens* till the firſt of *July*, when the wind coming about fair, they ſail'd to the weſtward, and being join'd off of *Plymouth* by five other men of war, the whole fleet amounted to 160 ſail. The 7th, the fleet meeting with contrary winds, they were forc'd to bear away for *Torbay*; where they loſt their chief Engineer Colonel *Brown*. On the 16th of *July* the grand fleet ſet ſail again, and on the 8th of *Auguſt* they made the rock of *Liſbon*, whereupon the Admiral ſent the *Kent* and *Pembroke* to *Liſbon*; and on the 10th the Prince of *Heſſe Darmſtat*, and Mr. *Methuen*'s ſon came into the fleet from *Liſbon*. They brought advice that there were in that harbour ſix *French* men of war and two gallies, and they deſir'd leave of the Governor to ſink her Majeſty's Ships the *Adventure* and *Leoſtaff*, that brought the Prince of *Heſſe* and Mr. *Methuen* thither: But the Governor anſwer'd, the *Engliſh* were not their enemies, and they were oblig'd to protect them while they lay under their canon. At the approach of the Confederate fleet, the *Portugueſe* fir'd their beacons to *Motions of the grand fleet.*

1 ANNÆ, 1702. alarm the Country, being under ſome apprehenſions from them: But the better to ſhew the diſpoſition of the *Portugueſe*, and the condition of *Cadiz*, (againſt which place the fleet was deſign'd) I ſhall here inſert the following Letter.

The expedition againſt Cadiz.

May it pleaſe your Grace,

Mr. Methuen's *Letter to the Duke of* Ormond *concerning the condition of* Cadiz, *&c.*

I Arriv'd here on *Tueſday* morning, and found this Court in the ſame diſpoſition in which I left it: Tho' the four *French* men of war and four gallies ſent hither are not thought worthy of the name of the ſuccours promis'd by *France*; yet I cannot preſs this King poſitively to act farther, till the fleet ſhall arrive at the opening of this river, and have therefore diſpatch'd the ſhip which brought me, in hopes that it will ſoon join the fleet, and have ſent your Grace enclos'd the beſt account of things that I cou'd obtain from the moſt certain intelligence at this time. If the ſhips ſtay in *Caſcaes* any number of days, I ſhall give your Grace better account, as I ſhall likewiſe do from *Faro*. By the King of *France*'s ſending away his fleet into the gulph of *Venice*, and not providing for the defence of *Spain*, it ſeems as tho' he abandon'd *Spain*, and doubted of the reality of our intention to ſend our fleet. This is thought to have ſuch an effect in the minds of the *Spaniards*, that if your Grace ſucceeds at *Cadiz*, there will ſoon be a great defection from the *French* Government; which I am confident will immediately begin at *Madrid*. The condition of *Cadiz* makes me hope you will ſucceed, when I conſider the vigour of the force your Grace commands. And the point of the greateſt importance is to inſinuate to the *Spaniards*, and ſhew by your proceeding, that you come not as an enemy to *Spain*, but only to free them from *France*,

and

and give them assistance to establish themselves under the Government of the House of *Austria*. The Prince of *Hesse*, and the Emperor's Ambassador make me hope this is done already to a great degree. The Prince's coming hither hath already rais'd a great consternation to the present Government at *Madrid*; and the most earnest endeavours have been used here both by *Spain* and *France* to get the Prince sent from hence, which will render his stay here impossible; and what is worse, hinder his passing to the frontier of *Spain*; where I am convinc'd, by the intelligence he hath, he would be very useful, and serve the *Spaniards* for a pretence to acknowledge the House of *Austria*, according to their inclinations. The Prince seems very desirous to go to the frontier of *Spain*, any way, and at any time, and in any manner your Grace shall think proper, and so to act as only to follow your orders in facilitating your Grace's intentions. I shall make no stop in relation to him, but as your Grace shall please to command me. I conclude at present with my earnest wishes for your Grace's success; which as it will establish the affairs of the Allies more than any other enterprize, so it will give you the glory and satisfaction to have done the greatest service to your Country. I am, with the utmost respect, may it please your Grace,

Your Grace's most humble, and most obedient servant,

JOHN METHUEN.

ANNÆ, 1702.

August the 10th 1702.

AT *Lisbon* here are four *French* Gallies, in which there are not 400 men besides the slaves. Here are likewise four *French* Men of War,

Mr. Methuen's *Account* enclos'd.

1 ANNÆ, 1702. War, from 60 to 70 guns; two came from the *Streights*, and two from West *France*: They are in a very ill condition, and very ill mann'd. There is a very contagious distemper, if not the plague it self, in the Gallies; and the seamen of the Ships being some of those which came lately from the *West Indies*, are likewise very sick; the Commander in chief of the Gallies, and a great many men are dead; and to hinder the sick men coming ashoar, the King of *Portugal* hath sent one of his own great Ships for a Hospital, where I am inform'd there are near 300 sick. The Count *de Thoulouse* was expected here or at *Cadiz*, but that expectation is now over; and it seems very plainly understood in this place, that the Count of *Thoulouse* is sent Eastward to the Gulph of *Venice*.

An account of the condition of Cadiz, *enclos'd in Mr.* Methuen's *letter.*

The Duke of *Bromanio's* is Governor, and seems not to be well beloved neither by the Town not soldiers. There are at present in *Cadiz* six Regiments, which are to contain by estimate 500 men each; but are believed to want near one third part of that number, so as in the whole not to amount to above 2000 men. One of those Regiments only is of *Catalonia*, one of *Neopolitans*, brought last year from *Italy*, the other four consist of officers who have serv'd in *Catalonia*, but the soldiers are all new-rais'd men of the neighbouring Provinces, except about 300, which have been brought from *Ceuta*, in exchange of another Regiment of *Catalonia* sent thither. There are several new works made since the King of *Spain's* death, *viz.* a kind of parapet, or breast-work on both sides the Bay of *Cadiz*, from the Fort of St. *Filippo* to the Town on that side, and from the Fort *Sancta Catherina*, near *Puerto Sancta Maria*, on that side to the Puntals; but most of

these

theſe works are made in haſte of faſcines, and very low. The *French* laſt year made a new battery near the Fort of *Sancta Catherina* of 45 pieces, and that Fort being near *Puerto Sancta Maria*, the *French* ſoldiers who were taken out of the Gallies are in this Fort and new battery, without any mixture of *Spaniards*. This new work was deſign'd to anſwer the Fort St. *Filippo* on the other ſide, and ſo to reach over the whole Bay; but by experience it is found that the balls fall far ſhort of each other. The ſix Regiments are all foot, there are but 200 horſe. There are no *French* ſoldiers at all but what have been taken out of the Gallies, the horſe are at Port St. *Mary's*. There are two great *Spaniſh* Ships which are diſarm'd and drawn up far within the Puntals, and three *French* Men of War, which are likewiſe carried within the chain. The eight Gallies lay juſt by the chain, but without it: Many of the inhabitants, but eſpecially women and children, are remov'd, and generally all the beſt of their eſtates that could be carried away with eaſe: Merchant's goods of bulk were not permitted to be carry'd away at that time; but here is a report in town, that now that liberty is given. The people of *Xeres* are oblig'd to ſend ſome more horſes when there ſhall be occaſion, but they are only ſuch as can be gotten together of the country people; no other regular troops are or can be expected, thoſe few there are at *Madrid*, ſeeming to be deſign'd rather for *Gallicia* than *Cadiz*. As for proviſions, there is none made publickly for the ſoldiers to ſerve them four days; ſeveral of the particular Inhabitants have, at ſeveral times, made proviſions for their own families; but ſoldiers who are ill paid, and not provided for, do break open the baker's ſhops, and take the meat from the ſhambles; ſo that it ſeems impoſſible that any

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care can now provide for the Town ſo much as twenty days proviſion. The water which they uſe at *Cadiz* is from two wells near the bridge; but they have likewiſe almoſt in every houſe great receptacles of rain water, which will ſerve to drink, and ordinarily laſts 'till the middle of *September*.

Upon the whole matter, all the beſt judges here do look upon an enterprize upon *Cadiz*, in the condition it is in at preſent, as very certain; and that neither the ſoldiers nor the inhabitants will ſhew any vigour in ſuſtaining either an attack or a ſiege. The Prince of *Heſſe*, and the *German* Ambaſſadors, have not been able to find any Eccleſiaſticks, or others, to ſend on board the Fleet; but they very confidently affirm, that the ſame thing is done by other perſons, and by a Manifeſto publiſh'd in *Spain* at *Madrid* and *Cadiz*, that the people are generally in expectation of the Fleet, to ſhew their diſcontent againſt the *French* Government.

On the 11th, a Council of ſea and land General Officers was held on board; and the next day Sir *George Rooke* ſteer'd away for *Cadiz*, which by noon he had Eaſt half North, about ſix leagues diſtant. About five in the afternoon the Fleet came to an anchor in the Bay of *Bulls*, in 21 fathom water, about two leagues from *Cadiz*.

The Duke of Ormond *ſends to diſcover a convenient landing place.*

An hour before day on the 13th, the Duke of *Ormond* ſent Sir *Thomas Smith*, Quarter-maſter General, with Colonel *Carls*, chief of the Engineers, Monſieur *Wibault* an Engineer, and Lieutenant *Cows* of the *Ranelagh*, to reconnoitre the backſide of the Iſland of *Leon*, to ſound the ſhoar, and find out the moſt convenient place to make a deſcent between the Iſland of St. *Pedro* and the Town of *Cadiz*. Sir *Thomas Smith* was in the twelve-oar Boat, attended by the *Iſa-*

bella

bella Yatch, and two Frigates. He found at his arrival near the Iſland about 200 *Spaniſh* horſe, who marched along the ſhoar as he row'd by; both the Town and Battery fired ſeveral ſhots as they were viewing the works. At his return, about three in the afternoon, he gave his Grace an account, that there were one large and two little Bays, very proper to make a deſcent in. 1 ANNÆ, 1702.

The Reſolutions of the Council of War upon their report.

This morning a Council of War of General Officers was held on board of the *Royal Sovereign*: Preſent, Sir *George Rooke* Admiral, Lieutenant Admiral *Allemond*, Admiral *Callenburgh*, Vice Admiral *Hopſon*, Vice Admiral *Pieterſon*, Sir *Stafford Fairborn*, Baron *Waſtenaer*, Rear Admiral *Graydon*, Captain *Ley*, his Grace the Duke of *Ormond*, Sir *Henry Bellaſis*, Lord *Portmore*, Baron *Sparr*, Sir *Charles Hara*, Brigadier *Palandt*, Brigadier *Matthews*, Brigadier *Hamilton*, Brigadier *Lloyd*.

Upon a conſideration of Sir *George Rooke*'s inſtruction, the ſeveral advices and intelligences we have had from Mr. *Methuen*, and his agents, the Prince of *Heſſe Darmſtadt*, and the concurrent information we have receiv'd from ſeveral fiſhermen, *&c.* taken on the Coaſt; from which it may be reaſonable to conclude, the enemy has about 4000 diſciplin'd troops in the Town of *Cadiz*, beſides Burghers, *&c.* and 1000 horſe of old troops, beſides the militia for the guard of the Coaſt. And in regard the Fleet can give no other aſſiſtance to the diſembarkment than covering the forces in their landing, and bombarding the Town, and the impoſſibility of ſupplying the forces from the Fleet in blowing weather; it is judged impracticable to attempt the Iſland of *Cadiz* immediately in theſe circumſtances; but in conſideration the taking of Fort *Sancta Catherina*, and Port *Sancta Maria*, may facilitate the

1 ANNÆ, 1702. access of the Fleet into the Harbour, and annoying the Town with our Bombs, getting of better intelligence of their condition, and for supplying the Fleet with water, which we begin to be in want of, and trying the affections and inclinations of the people of the Country to the House of *Austria*; it is resolved to land our forces in the Bay of *Bulls*, in order to reduce the aforesaid Fort and Town; and upon the success of these attempts, it may be considered what is farther to be done in prosecuting her Majesty's instructions; and that his Grace the Duke of *Ormond* do send a summons to the Town to submit to their lawful King of the House of *Austria*.

Governor of Cadiz *summon'd to surrender.* At three a clock in the afternoon, a Boat was sent to *Cadiz*, from the Admiral, with a flag of truce, and some Declarations; and his Grace the Duke of *Ormond* wrote a Letter to the Governor of that place, with whom he had been acquainted in the late wars in *Flanders*, to invite him to surrender. The Governor return'd a civil answer, signifying, that he was much oblig'd to his Grace for his good opinion of him, and his services in *Flanders*, and hoped he should do nothing to forfeit the same; nor against the trust the King his Master had reposed in him. At five the Fleet weigh'd and came to an anchor in 10 fathom water, *Rota* bearing N. by E. and St. *Sebastian* S. E. S. about three miles off shoar. That evening Sir *George Rooke* made a signal for a General Council of war; and on the 14th in the morning a signal for the Flag Officers only. On the 15th the forces began to land, the following instructions having been given by the General for the descent.

Orders to be observ'd 1. That the several Companies of Grenadiers should rendezvous in the Boats that should be appointed

appointed for them at break of day, the 15th of *Auguſt*, at the head of the *Ranelagh*, where they ſhould receive farther orders from Brigadier *Palandt*, and the Lord *Donegal*, who were appointed to command them. 2. That the Grenadiers ſhould be ſuſtained by the Guards, *Bellaſis*, *Seymour*, *Churchill*, and *Torcy*'s Regiments, who were commanded by Sir *Henry Bellaſis*, Lord *Portmore*, Baron *Sparr*, and Brigadier *Matthews*. 3. That the Maſters of the Tranſports ſhould give two full days proviſion of Bread, Cheeſe, and Beer, for each man. 4. That a Chirurgeon with medicines be taken with each Battalion. 5. That an Officer of the Artillery be at the rear of each Regiment with 20 Chevaux de Friſe, where the Quarter Maſter of that Regiment muſt be ready to receive them, and the ſame for the Grenadiers. 6. That no Drum beat, or Colours fly, but in the Boat of that General Officer that commands the line, and that when his Drum beat the line ſhall row, and when it ceas'd lie upon their oars. 7. That no ſoldiers fire upon pain of death while he was in the Boat, nor unſhoulder his Muſket when landed 'till commanded. 8. That no ſoldier, when landed, ſhould ſtir out of his rank upon pain of death. 9. That the firſt line ſhould be at the head of the *Ranelagh*, at fartheſt, by break of day. 10. That ſo ſoon as the ſecond line, conſiſting of the Regiments of *Columbine*, *Hara*, Earl *Hamilton*, *Fox*, and two Battalions of *Swanſbelt*, ſhould be in the Boats, they ſhou'd immediately parade at the *Iſabella* Yatch, which ſhould be at the head of all the Tranſports next the ſhore, and there receive the orders of Sir *Charles Hara*, and Brigadier *Hamilton*. And, 11. That the third line, conſiſting of the Regiments of the Lord *Donegal*,

1 ANNÆ, 1702. *in the deſcent.*

1 ANNÆ, 1702. *Charlemont*, *Shannon*, and two Battalions of St. *Amand*'s, and the Pioneers, ſhould parade at the ſame place, and there receive orders of Brigadier *Lloyd*, in the abſence of Brigadier *Seymour*.

The deſcent made. This diſpoſition for the deſcent being agreed on, and twelve hundred Grenadiers ordered to land firſt, about four in the morning; all the Boats of the Fleet were employed to hale them in, and the reſt of the forces which then rendezvous'd together in the Boats near the ſhoar, and were plac'd in order by his Grace the Duke of *Ormond*, who was then in his Barge on the right, with the *Engliſh* Flag, and Baron *Sparr* in his with the Emperor's. The Grenadiers led the van, and landed in the Bay of *Bulls*, between *Rota* and St. *Catherine*'s Fort in *Andalouſia*, tho' with much difficulty, the wind being ſo boiſtrous, and the ſea ſo ſwoln, that near thirty Boats were over-ſet, and ſeveral men drown'd, many of the infantry being oblig'd to ſwim on ſhoar, and others to wade up to the neck. No ſooner were about eighty Grenadiers, commanded by Collonel *Pierce*, landed, but they were briſkly charg'd, ſword in hand, by a *Spaniſh* General Officer, at the head of a handful of reſolute troopers, who were ſo warmly receiv'd by the *Engliſh*, that the firſt ſoon retreated, leaving their Commander, with five of his men, dead on the place, and ſeveral horſes, beſides a Captain and a Cornet, who were wounded and taken Priſoners. The *Engliſh* having had only one man wounded in this ſkirmiſh, which ſucceſs favoured the landing of the reſt of the forces.

The *Spaniards* had near the water-ſide a battery of four guns, from which they fir'd with little ſucceſs, and which they quitted at the approach of the *Dutch*, who diſmounted the guns, and nailed

nailed them up. But they were more troubleſome from St. *Catherine*'s Fort, whoſe canon killed two, and wounded three of the Confederates; notwithſtanding her Majeſty's Ship the *Lenox*, Captain *Jumper* Commander, and another Frigate, fir'd briſkly againſt it all the while. ANNÆ, 1702.

The forces being landed, and the *Dutch* having made themſelves maſters of the enemies battery, Baron *Sparr* diſpatch'd an Aid de Camp to the Duke of *Ormond*, to tell his Grace, that if he would ſend him a reinforcement of 200 men he would go and make himſelf maſter of *Rota*. The Duke not thinking that number ſufficient to take that place, which he rightly judg'd to be of the laſt importance to ſecure his retreat, his Grace directed Baron *Sparr* to march on towards it, and acquainted him that he would follow with the reſt of the army. Accordingly both the *Engliſh* and *Dutch* march'd that evening, and lay all night on their arms, (as did the Duke of *Ormond* on the ground) about two miles ſhort of the Town. At the place where they halted a Grenadier of the guards, who had kill'd that morning the *Spaniſh* Commander, being admitted to the Duke's preſence while he was at ſupper, preſented his Grace with the Ring which the *Spaniard* wore on his finger. But his Grace having look'd upon it, not only return'd it to the ſoldier, and bad him keep it, but pulling ſome pieces of Gold out of his pocket, gave them him as a further encouragement. The next day the forces continued their march, but before they reach'd *Rota*, the Alcaide, or chief Magiſtrate of that place, accompanied with ſome others, being come to ſurrender it, 100 Grenadiers were detach'd to take poſſeſſion of the ſame; and his Grace having

1 ANNÆ, 1702. ving taken up his quarters in the Caſtle, the army encamp'd before the Town.

Duke of Ormond's *Declaration inviting the* Spaniards *to join him.*

His Grace, at his firſt coming on the *Spaniſh* Coaſt, publiſh'd a Declaration, dated the 21ſt of *Auguſt*, (N. S.) ſetting forth, That her Majeſty the Queen of *Great Britain*, having been pleas'd to give him the Command of the forces which her Majeſty had joined with thoſe of the States General, for aſſerting the Rights of the Houſe of *Auſtria*, in purſuance of their Treaties of Alliance with the Emperor; his Grace judg'd it neceſſary, before he made uſe of the ſaid forces, to declare, that he did not come thither to poſſeſs himſelf of any place in the *Spaniſh* Monarchy, in the name of her Majeſty, or of the States General of the united Provinces, or to introduce therein the uſual troubles and calamities of war, by way of conqueſt; but rather to defend the good and loyal ſubjects of the ſaid Monarchy, and to free them from the inſupportable ſlavery whereto they were brought, and ſold to *France* by ſome diſaffected perſons. Wherefore the deſign of her Majeſty and the States General being only to aſſert the Rights of the Houſe of *Auſtria*, his Grace declared, that all good *Spaniards* that ſhould not oppoſe his forces ſhou'd be protected in their Perſons, Eſtates, Privileges, Religion, *&c.* but if contrary to expectation, they did not concur with her Majeſty's and the States good intentions, his Grace took God to witneſs that then the hoſtilities committed by the troops under his Command, muſt be laid on the *Spaniards* themſelves; who having ſo fair an opportunity to ſhew their loyalty, and follow the motives of their obligations and intereſt, refuſed to embrace it.

The

The Prince of *Heſſe Darmſtadt* did alſo publiſh a Declaration in the Emperor's name, and ſent it to *Cadiz*, and ſeveral other places, to be diſtributed among the people, cauſing at the ſame time the Imperial Standard to be ſet up. On the other hand, the Duke of *Ormond* ſent a Letter to the Governor of Port St. *Mary*'s, who return'd an anſwer in a paper unſeal'd, and no name, ſubſcribed in theſe words in *Spaniſh*; *Nos otros Eſpanoles no mudamos de Religion ni de Rey*; that is, *We* Spaniards *neither change our Religion nor King*. 1 ANNÆ, 1702.

The Duke having ſtaid at *Rota* till the 20th, and by this time the Dragoons and Train-horſes, with four field pieces, two battering pieces, four mortars, and the ammunition, being landed, his Grace left there a Garriſon of 300 men, under the command of Collonel *Newton*, and in the evening march'd with the army towards Port St. *Mary*. About eleven in the night a party of *Spaniſh* horſe, who lay in ambuſcade at a paſs, fired briſkly at the Confederates advanced Guard, but without doing them any damage, except killing Collonel *Gore*'s horſe under him. Upon the Grenadiers advancing the *Spaniards* quitted their poſt, and the army lay on their arms at the paſs till the morning, and then marched forward, tho' with incredible difficulty, by reaſon of the immenſe and ſcorching heat of the Sun, and the want of proviſions. Some Squadrons of *Spaniſh* horſe, making about 600 men, made a faint ſhew of oppoſing their march; but as the Confederates advanced the others retreated, till the firſt arrived at Port St. *Mary*, which they found deſerted by the major part of the inhabitants. There were indeed about 200 ſoldiers who betook themſelves to a ſtrong houſe, and ſtood to their arms, till the *Engliſh* drew up,

The army takes poſſeſſion of Port St. Mary's.

1 ANNÆ, 1702. up, designing to set fire to it, and giving no quarters; which the *Spaniards* perceiving, they surrendred themselves prisoners at discretion; and some others who endeavour'd to escape over the river in Boats, were shot in landing.

On the 22d of *August* a summons was sent to the Governor of St. *Catherine's* Port; who made answer, that he would defend his post to the last drop of his blood, and would cause the first *Englishman* that should fall into his hands to be hanged; but notwithstanding this rhodomontade, upon the approach of a detachment from the Confederate army, with two field pieces, he made his escape in a Boat, and committed the defence of the Fort to an Ensign, who being given to understand, that if he did not immediately surrender, he must expect no quarter, consented to be made prisoner of war, with 40 of his men.

Fort St. Catherine *taken.*

Though before the army reach'd Port St. *Mary*, the Duke of *Ormond* had given strict orders against plundering; yet it was not in the power of the officers to contain their famish'd and thirsty soldiers from forcing open the houses where they expected to find refreshments; nor was it long before they found out cellars plentifully stored with rich and strong Wines, where they carouzed all the first night. The next day their licentiousness being heightened by the fumes of their liquor, they proceeded to rifle and pillage the houses in a most outragious manner, not contenting themselves to take moveables, but breaking and spoiling what they could not carry away. Now because this booty had been of no use to them, unless they should secure it aboard the Fleet, they called the seamen to their assistance, who from seconds immediately became principals, and pilfered whatever they could

Port St. Mary's *plunder'd.*

could lay hands on with more eagerneſs than the rest. Nor did the plundering ſtop here; for the Officers of the army themſelves thought it prudence to ſhare the ſweetneſs and profit of a miſdemeanour, which they could not hinder; nay, ſome went ſo far as to think themſelves entitled by their eminent ſtations to engroſs the greateſt part of the booty; for which purpoſe they ſet Guards on the avenues of Port St. *Mary*, and ſtopt all the meaner ſort that were carrying goods to the Fleet, with which they ſtor'd their own magazines, and which they afterwards retailed for ready money. Some Churches far'd no better than private houſes, being deſpoiled of their moſt precious ornaments; inſomuch that the damage done to this City (one of the beſt built, beſt furniſh'd, and wealthieſt in all *Spain*) was modeſtly computed at three millions ſterling, tho' the Confederates were not one third part of that ſum the better. Theſe hoſtilities ſo enraged the *Spaniards*, that many who before deſigned, now declined to join the Confederates; and his Grace the Duke of *Ormond* ſo highly reſented the breach of his Commands, that Sir *Henry Bellaſis*, and Sir *Charles Hara* were afterwards put under arreſt for it. 1 ANNÆ, 1702.

The Garriſon of *Cadiz* having by this time recovered their conſternation, and ſunk three Gallcons at the entrance of their Harbour called *Puntal*, to prevent the Confederate Fleet going into it; and the Marquis *de Villadarias*, Governor of *Andaloufia*, having vaſtly encreaſed his army, and often drawing between *Xeres* and Port St. *Mary*, the Duke of *Ormond* marched with the forces out of the latter place on the 25th, and encamped at *Santa Victoria*, where his Grace took his quarters in a Cloiſter; and the next day cauſed his Declaration to be ſolemnly read

1 ANNÆ, 1702. read through the Town, and at the head of every Regiment, whereby he forbad plundering upon pain of death.

On the 28th of *Auguſt*, Baron *Sparr*, with a detachment of 2400 men, *Engliſh* and *Dutch*, marched againſt the *Matagorda*; and his Grace diſpatch'd his Letters from *Santa Victoria*, by the *Dunwich*, both to his Royal Highneſs and the Earl of *Nottingham*, wherein he gave them an account of his proceedings; and, amongſt other things, acquainted the latter, that his Grace was for landing on the backſide of the Iſland on *Cadiz*, and that now ſome of the ſea Officers thought he was not in the wrong; that he was ſure there was no likelihood of getting into the Iſland any other way, the weather being ſo violently hot, that he could not march for want of horſes and carriages to eaſe the Officers and ſoldiers, who had no way of carrying their proviſions but upon their backs; that the enemy had about 700 horſe, and kept within leſs than half a mile of the Confederates advanc'd Guards, who when they tried to attack them, the *Spaniards* immediately retired, and it being an open Country there was no coming at them with foot; that two pieces of heavy canon, with ammunition proportionable, was all that he could march with at a time; that he did not ſee his Declarations did the Confederates any good, ſome of the poor people that receiv'd them having been hang'd for delivering them, and the General of the Coaſt having ſent out a Proclamation to forbid any *Spaniard* to have any communication with them upon pain of death. So that all the Towns the land forces came at were abandoned, which was of very ill conſequence; for the ſoldiers finding the houſes furniſh'd, and Wines in the cellars, committed diſorders that could not be prevented.

The

The ſame day the Duke of *Ormond* receiv'd a Letter from Admiral *Hopſon*, importing, That Sir *George Rooke* (having that morning receiv'd a Letter from Sir *Stafford Fairborn*) had commanded him (Admiral *Hopſon*) to give his Grace his opinion, that the taking of *Matagorda* Fort, would not at all facilitate their entrance into the Puntals with their Ships, in regard they muſt have both ſides clear, and a conſiderable time to work away the ſunken Ships, and other impediments the enemy had laid to it: Neither would it, in his opinion, contribute any thing to the main ſervice of reducing the Town, which nothing he thought could bring to a period, but the landing a conſiderable part of the forces in the Iſland, to keep thoſe in the Town, who with the fright of a bombardment would deſert it; whoſe clamours, join'd with the power of thoſe who might be affected to the Confederates cauſe, might poſſibly oblige the Governor to a capitulation; tho' if the treatment their friends and their effects had met with at Port St. *Mary's*, contrary to his Grace's Declaration, and all Faith and Juſtice, had reach'd their ears, his Grace muſt expect, they would all join as one man, and oppoſe all attempts that ſhould be made upon them by his Grace, or the Fleet. 1 Anne. 1702.

The Governor of *Cadiz* rightly conjecturing, that the preſervation of that City did in a manner depend upon the keeping of the Fort of *Matagorda*, put the moſt reſolute of his men into it; and at the ſame time eight *French* Gallies, and three *French*, and four *Spaniſh* Men of War, kept continual firing with near an hundred canon on the trenches of the Allies, which were two foot deep in mud and water. Beſides theſe difficulties, the battery of the Confederates, which was rais'd in a Moraſs, without any madriers or faſcines to ſupport

ANNÆ, 1702.

it, happening to ſink, and the Engineers having declar'd that they could not carry on the attack with ſucceſs, it was thought fit to retire with the loſs only of 32 men kill'd, and 33 wounded.

The *Spaniſh* army being daily augmented, and the Confederates diminiſh'd by the flux, and proviſions growing ſcarce, and the Admiral being of opinion that the ſeaſon was ſo far advanc'd that he could not remain longer in thoſe ſeas without great hazard to the Royal Navy, it was determin'd to reimbark the troops, which was perform'd with little or no loſs, and the Fleet ſet ſail for *England*, of which the Marquis *de Villadarias*, Captain General of *Andaluſia*, gives the following account, in a Letter from *Cadiz* to the Court of *Madrid*, dated the 27th of *September*, *viz.*

Letter of the Marquis de Villadarias.

I Omitted nothing that might enable me to anſwer the good opinion the King has of me; I was always perſuaded, as well as the King, that the enemy cou'd never beſiege *Cadiz* with ſo few men. Had they ſent me from that City the ſuccour which I required, I would utterly have defeated the enemy when they reimbark'd. The Veſſels and Gallies did all that could be expected from the valour and experience of thoſe that commanded them: 'Twas to the firing of the Gallies that we owe the advantage we had over them at *Matagorda*. The conſequence of that action was, that they were oblig'd to quit Fort St. *Mary*'s, and an entire diſcouragement of the whole enterprize; the fear with which they retreated to *Rota* is a convincing proof of it. They made no motion till yeſterday, at what time I having notice of their preparing to reimbark, I ſent *Don Antonio* with his Grenadiers, ſome Squadrons, and four Battalions, to poſt themſelves above the Ci-

ty, and I march'd with the reſt that I could muſter together, to the firſt houſes of that place; where perceiving a conſiderable number of the enemy, I made a halt out of danger, and ſent to the firſt detachment, to do whatever the conjuncture would permit 'em to do againſt the enemy, diſpoſing my ſelf to ſecond 'em. No ſooner did the detachment begin to fire, but the enemy reimbark'd with precipitation, our men attack'd them with ſuch vigour, that they were ſtill in piſtol-ſhot of 'em. We remain maſters of the place, not any *Engliſh* man being left aſhoar: This ſucceſs, of which the conſequence is infinite, has coſt the lives of no more than eight men, and ſhews the fidelity and attachment of the *Spaniards*. 1 ANNÆ, 1702.

Notwithſtanding the pride and confidence of this *Spaniard*, conſidering the condition *Cadiz* was in at the arrival of the Fleet, had the troops landed on the back of the Iſland, as the Duke of *Ormond* propos'd, and inveſted the Town during their firſt conſternation, it is more than probable they had made themſelves maſters of the place. But to leave the *Spaniard* to his quixotiſms, no doubt the Generals and Admirals embark'd for *England* again ſufficiently dejected, eſpecially becauſe their diſappointment was in ſome meaſure juſtly attributed to their own miſmanagement and want of diſcipline at Port St. *Mary's*. To fall upon a people in that manner whom they ſhould have treated as friends, to raviſh the Nuns, plunder private houſes, and even Churches, was ſuch an effectual method of provoking that biggotted people, that no ſucceſs was to be expected afterwards, but what was to be obtain'd by downright force. And ſo far the Marquis of *Villadarias* was in the right, 10000 men were

1 ANNÆ, 1702. not ſufficient for the conqueſt of ſuch a Kingdom, where no aſſiſtance was to be expected from the inhabitants. But we ſhall leave the Fleet ſailing homewards under theſe melancholly reflections, and return to the low Countries. In the *Netherlands* the Earl of *Marlborough*, not being able to bring the *French* to an engagement, the Deputies of the States in the army repreſented to him, that it would be much to the advantage of *Holland*, to diſpoſſeſs the enemy of the places they held in the *Spaniſh Guelderland*, whereby the navigation of the *Maeſe* wou'd be open'd. And accordingly preparations were made for the ſiege of *Venlo*, which was inveſted the 29th of *Auguſt*, and on the 7th of *September* the trenches were open'd. I ſhall not take upon me to give a diary of every ſiege during this long war, but there are ſome heroick actions that muſt not be paſs'd by; ſuch was that perform'd by my Lord *Cutts* before this place. On the 18th of *September* his Lordſhip was commanded to attack Fort St. *Michael*, between the Baſtion that is next the plain, and the Ravelin that lies on the North ſide of it, having under his command Brigadier General *Hamilton*, with the Royal Regiment of *Ireland*, and General *Hukelem*'s Regiment, 172 Grenadiers, and 100 Fuſileers, moſt *Engliſh*, under a Lieutenant Collonel; as alſo 300 workmen, with a competent number of Engineers under Collonel *Blood*. His Lordſhip's orders were to make a lodgment from the point of the Ravelin to the Baſtion, leaving him at liberty to proceed farther if he found it practicable. And at the ſame time the Prince of *Anhalt*, with the ſame number of troops, was to make an attack between the Baſtion and the Ravelin on the North ſide, with the like diſcretionary orders, either to lodge himſelf, or to advance as he ſhould ſee occaſion. The ſignal

Venlo *beſieg'd.*

Attack of Fort St. Michael *by the Lord* Cutts.

ſignal for both attacks, which was to be the blowing up a tun of powder, and the diſcharge of all the batteries of the beſiegers, both canon and mortars, was accordingly made a little before ſix in the evening. The Lord *Cutts* had given orders on this attack to the Officers that led the Grenadiers, firſt to clear the Cover'd way of the enemy, and if they ſaw it practicable when that was done, to attack the Ravelin ſword in hand; aſſuring them, in the hearing of all the Grenadiers, that as ſoon as he ſaw fifty of the latter on the top of the Ravelin, he would ſacrifice himſelf and his troops rather than not ſuſtain them. And that therefore they might go on with undauntedneſs if they found it poſſible to paſs: His Lordſhip heighten'd their courage and alacrity by promiſing rewards in her Majeſty's name to all ſuch who ſhould ſignalize themſelves. His Lordſhip's orders were executed with inexpreſſible vigour and chearfulneſs, and as ſoon as the Grenadiers whom his Lordſhip with diſtinguiſh'd intrepidity, and admirable preſence of mind, ſuſtain'd with freſh numbers, had clear'd the Counterſcarp with their fire, and avoided a Mine which was unſucceſsfully ſprung by the enemy, they boldly attack'd the Ravelin with ſword in hand, encouraging and aſſiſting one another upon the aſſurance of being ſeconded; which the Lord *Cutts* perceiving, he march'd with all his forces, engag'd the enemy, and was ſoon maſter of the Ravelin. The *French* then made a great fire upon the *Engliſh* from the Rampart of the Fort, whereupon the Lord *Cutts* ſent orders to the Officers that were at the head of the Grenadiers, to throw in their Granadoes and attack the Fort ſword in hand, if it were poſſible to find a paſſage; which they did by charging and following the enemy ſo cloſe, that they had not time to

1 Anna, 1702.

1 ANNÆ, 1702. break the bridge, tho' it was hotly diſputed by fire and puſh of pike, and eſpecially by the enemies Grenadiers from the flank of one of their Baſtions. But the bravery of the *Engliſh* Grenadiers, by the example of their Officers, and ſome Voluntiers of diſtinction, (as the Earl of *Huntington*, my Lord *Lorn*, my Lord *Marckar*, the Prince *D'Avergne*, Sir *Richard Temple*, Collonel *Webb*, and Mr. *Dalrimple*,) was inexpreſſible; ſome of them attack'd the bridge, and ſome clamber'd up the Ramparts, after having thrown in their Granadoes, and forc'd their way into the Fort. The enemy continu'd to defend themſelves, till the *Engliſh* pour'd in ſo faſt upon them, that they were no longer able to reſiſt; which as ſoon as the Lord *Cutts* perceiv'd, he check'd the fury of the ſoldiers, and put a ſtop to the ſlaughter. The *Engliſh* took above 200 Priſoners, whereof 30 were Officers, with a Brigadier General and the Governor; but all the reſt that were in the Fort, to the number of 600 were kill'd or drown'd, endeavouring to eſcape, except 12 who happily paſs'd the *Maeſe* in ſmall Boats.

When the Lord *Cutts* found himſelf entirely in poſſeſſion of the Forts, having left 400 men in the outworks, he poſted a guard at the great Port towards the Town, and a ſmall guard at each ſally Port, ſeiz'd the Magazines, ſent out 100 Grenadiers to diſcover on the ſide of the *Maeſe*, if any of the enemy were there drew up; the reſt of his troops upon the Rampart, towards the Town, turn'd the enemies canon upon them, made a diſcharge to give notice to the camp that all was well, and continued under arms all night. Of the *Engliſh* in this action two Captains were wounded, two Lieutenants and one Enſign kill'd, and three wounded, one Serjeant kill'd, and three wounded, 130 men kill'd, and 132 wounded:

And the Lord *Cutts* his Aid de Camp, Captain *Bolas*, with Mr. *Eley*, an *Engliſh* Voluntier, kill'd on the ſpot. The loſs of the *Dutch* was no leſs than that of the *Engliſh*. 1 ANNÆ, 1702.

On the 25th of *September* the Town of *Venlo* beat a parley, and the Garriſon ſurrender'd upon honourable terms, and were conducted to *Antwerp*. Venlo *ſurrenders.*

The Allies afterwards laid ſiege to *Ruremond*, which ſurrender'd the 6th of *October*, as did *Stevenſwaert* about the ſame time upon articles. The army then march'd towards *Liege*, and upon their approach Marſhal *Boufflers* thought fit to retreat from thence to *Tongeren*, and that City ſent a Deputation to the Earl of *Marlborough*, offering to ſurrender; the *French* Garriſon being march'd into the Citadel and *Chartreuſe*. And on the 14th of *October* three Regiments of horſe, and three Battalions of foot, march'd into the Town under the command of the Lord *Cutts*. Before the end of *October*, the Confederates made themſelves maſters both of the Citadel and *Chartreuſe*; the Citadel, in which were the remainder of eight Battalions, ſurrendring at diſcretion. But the Garriſon of the *Chartreuſe* ſurrender'd upon honourable terms, and were conducted to *Antwerp*; and thus ended the Campaign in the *Netherlands*.. Ruremond *and* Stevenſwaert *ſurrender.* Liege *ſubmits.* *The Citadel and* Chartreuſe *ſurrender*

On the 3d of *November* the Confederate army being ſeparated, the Earl of *Marlborough* went to *Maeſtricht*, where he embark'd that evening on the *Maeſe* for *Holland*, in company with Monſieur *Geldermanſel*, one of the Deputies of the States, and Monſieur *d' Opdam*, General of horſe, taking on board with him 25 ſoldiers, under the command of a Lieutenant, to ſerve as a convoy. The next morning their Excellencies came to *Ruremond*, where they join'd Monſieur *Coehorn*, and *Earl of* Marlborough's *eſcape,*

1 ANNÆ, 1702. having din'd with the Prince of *Holſtein Beck*, Commander of that Garriſon, continu'd their voyage together, having order'd a party of fifty horſe, (beſides 60 men that were in Monſieur *Coehorn*'s Boat) for their better ſecurity againſt any of the enemy's parties. About ſeven a clock that evening their Excellencies came to *Venlo*, where the party of horſe being reliev'd by a like number of that Garriſon, they purſu'd their journey: But the Boats being ſeparated in the night, and the horſe marched to ſome diſtance from the river ſide, between eleven and twelve at night, a party of 35 men of the Garriſon of *Gelder*, who lay ſkulking on the banks near three leagues on this ſide *Venlo*, having by ſurprize ſeiz'd the rope with which the Boat was drawn, and hauled it on ſhoar, they immediately made a diſcharge of their ſmall arms upon the Boat wherein their Excellencies were, and then threw in ſeveral Granadoes, with which ſome of their people being wounded, the party enter'd and ſeiz'd the Boat, and having examin'd the ſeveral paſſports, without knowing my Lord *Marlborough*, they afterwards ſearch'd the trunks and baggage, from whence they took what plate they could find, and made their Excellencies guard of foot priſoners, and about five in the morning retir'd with their booty, leaving their Excellencies to continue their voyage.

The Governor of *Venlo* having ſoon notice of their Excellencies being taken, march'd out with his whole Garriſon by break of day to inveſt *Gelder*, and immediately ſent an expreſs to the States, which arriving on the 6th at night, they aſſembled upon it the next morning, and all the people at the *Hague* were in the greateſt conſternation imaginable till the arrival of his Excellency that evening. Whereupon the ſtreets were ſo crowded,

crowded, that it was with much difficulty that his Excellency paſs'd to his houſe, and all poſſible demonſtrations of joy were ſhewn by all ranks of people for his Excellency's eſcape, and ſafe arrival. 1 ANNÆ, 1702.

The King of the *Romans* being arriv'd in the camp before *Landau*, on the 10th of *September* the Garriſon beat a parley, and ſurrender'd upon honourable terms, having held out a ſiege of near three months. Some few days before the Duke of *Bavaria* having declar'd in favour of *France*, had ſurpriz'd *Ulm*, an Imperial City, and the capital of *Suabia*; whereupon the Imperial Diet aſſembled at *Ratisbon*, and by plurality of voices reſolv'd to declare war againſt the *French* King and the Duke of *Anjou*, and they deſir'd his Imperial Majeſty to act againſt the Elector according to the conſtitution of the Empire, to uſe his authority for recovering the City of *Ulm*, and to require the Elector to abſtain from all attempts of the like nature for the future. Hereupon the Elector of *Bavaria* publiſh'd a Manifeſto, giving the Circles of *Suabia* and *Franconia* to underſtand, that he expected they ſhould obſerve an exact neutrality in this war; which did not concern the Empire in general, but only the Houſe of *Auſtria*. In the mean time all poſſible care was us'd to prevent the Elector's conjunction with the *French*, for by three diſpatches which happen'd to be intercepted, one from Marſhal *Catinat* to the Elector, and the other two from the Elector to the Marſhal, it appear'd the *Bavarians* deſign'd to penetrate into the *Briſgow* with 10000 men, and to have poſted themſelves upon the *Rhine* near *Hunninghen*.

Landau taken.

Ulm ſurpriz'd by the Duke of Bavaria.

The Miniſters of the Elector of *Bavaria* and *Cologn* were forbid to appear any more in the General Diet, whereupon the Elector of *Bava-*

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1 ANNÆ 1702.

ria's Miniſter proteſted againſt the reſolution of the Diet to declare war againſt the *French* King and the Duke of *Anjou*; inſiſting, that by the conſtitution of the Empire, an offenſive war like this ought to be reſolv'd upon by univerſal conſent, and not by plurality of voices: To which it was anſwer'd, That *France* had attack'd the Empire by invading in his own and the Duke of *Anjou*'s name ſeveral Fiefs of the Empire in *Italy*, the Archbiſhoprick of *Cologn*, and the Dioceſs of *Liege*; as alſo by diſturbing the trade of the *Rhine*, and committing ſeveral other hoſtilities, which rendred this a defenſive war on the part of the Empire.

The Emperor us'd all means to reduce the Elector of *Bavaria* to his duty, but neither promiſes or threats avail'd any thing; for having made himſelf maſter of *Ulm*, he march'd towards the Foreſt Towns, with deſign to join a detachment from the *French* army; but not ſucceeding in that attempt, the *Switzers* having ſecur'd the paſſes, he was oblig'd to retire to his own Country, and the Declaration of war by the Empire was publiſh'd, and notified to Cardinal *Lamberg*, the Emperor's Commiſſioner on the 30th of *September*, by the direction of the Elector of *Mentz*, in the name of the Diet of *Ratiſbon*.

The Empire declare war againſt France *and the Duke of* Anjou.

Prince *Lewis* of *Baden* having weaken'd his army by ſeveral detachments he had made to prevent the conjunction of the *French* and *Bavarians*, and having only with him a body of 8000 men, was ſurpriz'd by the Marquis of *Villars* the 13th of *October* N. S. at *Fridlingen*, and defeated, as the *French* gave out; but by the account from Prince *Lewis* to the King of the *Romans*, he claim'd the victory, and remain'd five hours upon the field of battel after the fight, and then continu'd his march towards *Stauffen*:

Battel of Fridlingen.

Stauffen: However, the *French* ſung *Te Deum* for the victory, and the Marquis of *Villars* was made a Marſhal of *France*, as a reward of his good conduct. Poſſibly both ſides might have ſome reaſon to rejoyce; for the Marquis of *Villars* being much ſuperior in number to Prince *Lewis*, took *Fridlingen* the next day; and Prince *Lewis* carried his point in preventing the conjunction of the *French* and *Bavarians*. 1 ANNÆ, 1702.

It was reſolv'd in the Diet of the Empire to maintain an army of an 120000 men during this war; And it was reſolv'd, that the Emperor ſhou'd be deſir'd to aſſign every Circle their proportions, and enjoin them to haſten their Contingents, that the army might be in a readineſs to take the field in due time; and in this repartition they were to obſerve the ſame order and proportions as in the year 1681. But how backward they were every campaign, and how miſerably they fell ſhort of their numbers, will be too evident in the enſuing hiſtory. *The Empire reſolve to maintain 120000 men.*

On the 15th of *Auguſt* there happen'd a ſharp Action in *Italy*, near *Luzara*, where both ſides claim'd the victory, as they do to this day; and therefore I ſhall give both their accounts of it.

The *Imperialiſts* account of the battel of *Luzara*.

Upon ſeveral advices which we receiv'd, that the enemy advanced towards us with the whole army, Prince *Eugene* order'd the trumpets to ſound to horſe the 15th in the morning; and about ten a clock he order'd the whole army to march toward *Luzara*. *Battel of* Luzara *the* 15th *of* Auguſt.

Never were men ſeen to march with ſuch a zealous alacrity. Both Officers and ſoldiers overjoy'd advanc'd with ſo much ſpeed, that

our

1 ANNÆ, 1702. our right wing engaged before four a clock in the afternoon with the enemy's left, which they met near the *Po*. We fir'd ſo thick upon 'em with our canon, that we forced the enemy's army to make a halt, which gave our left wing time to advance and range themſelves in order of battel.

About ſix a clock our right wing fell on with an undaunted and wonderful courage, and was received very briſkly by the enemy. Both the one and the other fought with an extraordinary obſtinacy, neither of the parties being willing to loſe a foot of ground, 'till our left wing being engaged we overthrew the King's *Gens d' Arms*, and the *Iriſh* Regiments, which ſo increaſed the courage of our men, that they forced the enemy to retreat ſeven hundred paces, and to leave in our poſſeſſion the field of battel, and their dead; though they were much ſuperior to us in number, and advantagiouſly poſted. Their firing, which was extremely thick and violent, laſted about two hours; but at length night parted the two armies, and put an end to the combat. Our army remain'd Maſters of the field of battel, and poſted themſelves upon it, and the enemy retreated ſeveral hundred of paces.

We may judge by the enemy's loſs, which, as all the deſerters acknowledge amounts to ten thouſand men, with what courage both armies fought. Our loſs is about three thouſand kill'd and wounded. We lament extremely the loſs of the Prince of *Commerci*, who in the firſt onſet was ſhot through the body, and fell down dead. We have loſt the Officers and ſoldiers mentioned in the liſt hereunto annexed. The Marquis *Davia*, who was abroad with a party, return'd in the heat of the combat, and took his oppor-

opportunity ſo well, that he fell upon the enemy's baggage on the other ſide of the army; and carry'd off to *Guaſtalla* as many horſes, mules, oxen and waggons as poſſibly he could. 1 ANNÆ, 1702.

The *French* account of the battel of *Luzara*.

The 15th of this month, about one of the clock in the morning, the army decamp'd from *Teſta* without beating a march, or ſounding to horſe. The King of *Spain* was in the right wing, the Count of *Theſſe* led the left, which made the Vanguard, and the Duke of *Vendoſme* march'd before with twenty four Companies of Grenadiers, and two Regiments of Dragoons. He march'd with ſo much ſpeed, that by eight a clock in the morning he arriv'd at *Luzara*, which the enemy had reinforced the night before for the ſecurity of their magazines. He ſummon'd the Commander to ſurrender, but he return'd his anſwer in muſket-ſhot, by one of which the Count of *Seſane* was wounded in the arm; by which the Duke of *Vendoſme* judged that the enemy was not far off, and therefore reſolved to encamp in that place. About noon, as he was ranging his men as they arrived, they ſaw the enemy drawn up in battel array, with their canon in front, and marching againſt our left wing, which extended itſelf as far as the *Po*, in that part where they had a deſign to have built a bridge of communication. The Duke of *Vendoſme* order'd the Brigades of *Piemont*, the Marines, the Regiment of *Perche*, and the Brigades of *Grancy* and *Sault*, to advance; and the Sieur *Albergotti*, who was entruſted to poſt 'em, ordered 'em to entrench themſelves forthwith by the favour of a ſmall wood, and a mound upon the banks of the River *Po*. But the *Account of the battel of* Luzara *by the* French.

ANNÆ, 1702. the ground not permitting a ſecond line, the Sieur *de Beſons* drew up the Regiments of cavalry of Collonel General *de Montperoux*, *d'Uſez*, *du Bordge*, *d'Anjou*, *Cavaillac*, the Dragoons of *Savoy*, and ſome other Regiments behind the ſaid infantry, to ſupport it. The Dragoons of *Senectaire*, and a Squadron of Dragoons of *Spain* were plac'd near the Brigade of *Piemont*. The Duke of *Vendoſme* ſent canon, which were planted upon the mound, between the right and left wing. In the mean time the Marquis of *Crequi*, Lieutenant General for the day, rang'd the right wing in battel array, according to the orders of the King of *Spain*, and the Duke of *Vendoſme*, who was in continual motion, giving his orders every where. About five a clock, the enemy's whole army being arriv'd, their infantry in two lines, ſuſtain'd by their cavalry, march'd againſt our left wing, who tarry'd for them, without diſcharging one ſhot, 'till they came within half as far as a fuſil would carry. The nature of the ground was ſuch, that advancing they laid their flank open to the Regiment of *Piemont*, and the marine Brigade, who fir'd continually upon 'em; and the reſt of the left wing receiv'd 'em with ſo much vigour, that they were repuls'd, leaving the ground cover'd with the ſlain. Within half an hour after they return'd to the charge, and were ſtill repuls'd. Then they brought on freſh Troops, and charg'd a third time with the ſame ſucceſs. At length, the fourth time, they forc'd the *Iriſh*, and the Regiments of *Perche* and *Sault* to give a little ground; but the Count *de Beſons* cauſing the Regiments of the Collonel General *Montperoux*, and of *Bourbon* to march againſt the enemies, and which he led on ſeveral times to the charge, put a ſtop to their career.

The

The Regiment of *Piemont* preſerv'd their poſt, notwithſtanding the efforts of the enemy, who demanded a ſuſpenſion of arms to recover the dead body of ſome Perſon of Quality, whoſe name we knew not. Almoſt at the ſame time the fight began in our right wing, where the enemy were received with no leſs vigour and intrepidity, tho' all the Troops that were to have compoſed it were not yet arriv'd. The Marquis of *Crequi* was wounded to death in the firſt charge, and died yeſterday, lamented by the whole army. The Count *d'Eſtrades*, at the head of his Regiment of Dragoons, took a Standard from the enemy. The Dragoons of the *Dauphin*, of *Lautruch* and *Languedoc*, gain'd two pieces of canon. The battel continued in this manner till an hour within night, with ſuch an extraordinary firing of the ſmall ſhot, that the oldeſt Officers in the army acknowledg'd they had never ſeen the like. At length the enemy retir'd to the banks of the *Zero*, where they encamp'd; they had between five and ſix thouſand, or more, ſlain or wounded upon this occaſion, and ſeveral of their principal Officers, which is confirmed by the report of all their deſerters. In the Confederate army, there were about 2500 kill'd or wounded, with ſeveral Officers of Quality. The Marquis of *Montandre*, Collonel of the Marine Regiment, the Count of *Ronel*, a reform'd Collonel, the Sieur *de Vandeville*, and the Sieur *d'Arenes*, Brother to the Major General, were ſlain. The Duke *de Leſdiguiers*, the Marquis of *Mongon*, of *Grancey*, of *Montpereux*, of *Liguerac*, and the Lieutenant Collonel of *Piemont*, were wounded, and the Count of *Theſſe* received a contuſion. All the General Officers ſignaliz'd themſelves by their conduct, and by their reſolution. The King of *Spain*, being willing to encourage the ſoldiers

1 ANNÆ, 1702.

1 ANNÆ. 1702. ſoldiers by his preſence, expos'd himſelf ſeveral times to the fire of the canon and ſmall ſhot, and remain'd all this day, and yeſterday, almoſt forty hours together, without ſleeping, or hardly eating. The Duke of *Vendoſme* preſent, every where performed all the duties of a General, being always in the greateſt danger. 'Twas thought the enemy's deſign was to ſave their magazines in *Luzara*, to make themſelves maſters of a particular part of the River, where, by the conveniency of an Iſland, a bridge might be made by the *French* to preſerve their communication with the army of the Prince of *Vaudemont*, and to make the beſt of the advantage which the ground afforded 'em, covered with Trees, and intercut with Ditches, Cauſeways, and Hedges. But the conduct of the Duke of *Vendoſme*, and the valour of his ſoldiers, broke all their meaſures. We are now at work without interruption, upon cutting off the bridges that preſerves their communication with *Berſello*. Yeſterday the Garriſon of *Luzara*, conſiſting of 400 foot, and 150 horſe, ſurrender'd at diſcretion, *&c.*

But however, both ſides boaſted of the victory, the *Germans* becauſe they remained upon the field of battel, and the *French* becauſe they made themſelves maſters of *Luzara* the next day (being intrench'd between that place and the Confederate army). Neither of them thought fit to renew the engagement, but contented themſelves with the honour they had gain'd.

The Parliament meets. The Campaign being ended on all ſides, the 20th of *October* the Parliament met at *Weſtminſter* (being the firſt Parliament that was call'd in this Reign). The Queen being come to the Houſe of Lords, and the Commons ſent for up, the

the Lord Keeper ſignified her Majeſty's pleaſure that they ſhould proceed to the choice of a Speaker, and the choice falling upon *Robert Harley*, Eſq; he was preſented to the Queen the next day, and her Majeſty approv'd the choice. After which, ſhe made a ſpeech to both Houſes; in which ſhe told them, It was with great ſatisfaction ſhe met this Parliament, which ſhe had ſummon'd to aſſiſt her in carrying on the juſt and neceſſary war in which ſhe was engaged. That ſhe aſſur'd herſelf of ſuch evidences of their affection to her, and of their zeal to the common cauſe, as wou'd not only give ſpirit and forwardneſs to their own preparations, but ſuch example and encouragement to her Allies as could not fail of a good effect.

1 Ann. A. 1702.

Mr. Harley *choſen Speaker.*

The Queen's Speech.

That ſhe had met with ſo many expreſſions of joy and ſatisfaction in all the Countries through which ſhe lately paſſed, that ſhe cou'd not but look upon them as true meaſures of the duty and affection of all her ſubjects.

She deſired of the Commons the neceſſary ſupplies for carrying on the war; and that her ſubjects might the more cheerfully bear the taxes, ſhe deſired they wou'd inſpect the publick accounts, and if they diſcover'd any miſmanagements, ſhe deſired the offenders might be puniſh'd.

Her Majeſty ſaid, ſhe cou'd not but obſerve with ſome concern, that the Funds given by the laſt Parliament had prov'd deficient more than the hundred thouſand pounds ſhe had promis'd to contribute to the war wou'd ſupply.

She ſaid, ſhe cou'd not, without much trouble, take notice of the diſappointment at *Cadiz*: That ſhe had not yet receiv'd a particular account of that enterprize, but ſhe had had ſuch a repreſentation of diſorders and abuſes committed

1 ANNÆ, 1702. mitted at Port St. *Mary's*, as had oblig'd her to give directions for the ſtricteſt examination of that matter.

She deſir'd they wou'd conſider of ſome better method to prevent the exportation of Wool, and to improve that manufacture.

She ſaid, ſhe was firmly perſuaded that the love of her ſubjects was the ſureſt pledge of their duty and obedience, and their trueſt and juſteſt ſupport of the Throne: And as ſhe was reſolved to defend and maintain the Church as by Law eſtabliſh'd, and to protect them in the full enjoyment of their Rights and Liberties, ſo ſhe rely'd upon their care of her: Her intereſts and theirs were inſeparable, and her endeavours ſhou'd never be wanting to make them all ſafe and happy.

Addreſs of the Lords. On the 23d of *October*, the Houſe of Peers preſented an addreſs to her Majeſty, wherein they thank'd her for her gracious ſpeech, and congratulated her on the ſucceſs of her arms and her Allies, under the Command of the Earl of *Marlbro'*, and the other ſucceſſes of the Allies in *Germany* and *Italy*, and for the proſperous condition of trade, which they attributed to her Majeſty's great wiſdom and conduct; and they aſſur'd her Majeſty, they ſhould be always ready to aſſiſt her to the utmoſt in this juſt and neceſſary war: They thank'd her alſo for her reſolution to defend the Church, and to protect them in their Rights and Liberties; and farther aſſur'd her, that they ſhou'd be ready on all occaſions to ſupport and defend her Royal Perſon and Government with all poſſible zeal and duty.

Addreſs of the Commons. The Commons alſo addreſs'd her Majeſty on the 27th. They thank'd her Majeſty for her ſpeech, which they ſaid gave them ſuch inſtances of her Majeſty's tender concern for her people, as

as engag'd them to make her the utmoſt returns of duty and gratitude. 1 Ann 4, 1702.

That her ſubjects had receiv'd ſo many benefits under the influence of her Majeſty's happy Government, that ſhe muſt have met with the ſame expreſſions of joy and ſatisfaction in any other part of her Dominions ſhe had honour'd with her Royal preſence.

That the diſappointment at *Cadiz* did the more affect them, becauſe it gave her Majeſty ſo much trouble; but this misfortune cou'd not make them forget, that the protection and ſecurity of their trade, the vigorous ſupport of their Allies, and the wonderful progreſs of her Majeſty's arms under the Duke of *Marlbro'*, had ſignally *retriev'd* the ancient honour and glory of the *Engliſh* Nation.

After her Majeſty's repeated aſſurances, they neither doubted the full enjoyment of all their Rights and Liberties, nor of her Majeſty's defending and maintaining the Church of *England* as by Law eſtabliſh'd. She had always been a moſt illuſtrious ornament of this Church, and had been expos'd to great hazards for it: And therefore they promis'd themſelves, that in her Majeſty's Reign they ſhould ſee it perfectly reſtor'd to its due Rights and Privileges, and ſecur'd in the ſame to poſterity, which was only to be done *by diveſting thoſe men of the power who had ſhewn they wanted not will to deſtroy it.*

That the proſpect of theſe bleſſings, and her Majeſty's deſire to have the publick accounts inſpected, and any miſmanagements puniſh'd, wou'd endear her to her people, and encourage them chearfully to aſſiſt her with thoſe ſupplies as were neceſſary to proſecute the war.

That her Majeſty might rely upon the care of her faithful Commons: The value ſhe was

1 ANNÆ, 1702. pleas'd to ſet upon the affection of her ſubjects, was the higheſt obligation that cou'd be laid on them to give her Majeſty pledges thereof in their duty and obedience: They ſhou'd be always ſenſible that her Majeſty's intereſts and theirs were inſeparable; and as they gratefully acknowledg'd her Majeſty's great deſigns to make them ſafe and happy; ſo their prayers and ſincereſt endeavours ſhou'd never be wanting to make her Majeſty's Reign more proſperous and more glorious than any of her Royal Predeceſſors.

Debates upon the word retrieve. There was ſome debate in the Houſe whether the word *retrieve* in this addreſs ſhou'd not be chang'd for maintain; becauſe 'twas alledg'd, that the word *retrieve* ſeem'd to caſt a reflection upon the glorious memory of King *William*, but upon a diviſion it was carried for the word *retrieve*, 180 againſt 80.

The 29th of *October*, being the Lord Mayor's day, her Majeſty was pleas'd to accept of an invitation from the City, and din'd at *Guildhall*, receiving as ſhe went along the loud acclamations of the people, as ſhe always did when ſhe was pleas'd to bleſs them with her preſence.

We left Admiral *Rooke* and the Duke of *Ormond* ſailing homeward with the Grand Fleet, vex'd at their diſappointment, and ſtudying excuſes for their conduct, when they accidentally heard that the *Spaniſh* Galleons were at *Vigo*, which began to revive their drooping ſpirits. They receiv'd this intelligence from Captain *Hardy*, Commander of the *Pembroke*, who being detach'd with ſome Ships to *Lagos* to fetch water for the Fleet, there heard, that M. *Chateaurenaud*, with the *French* Men of War, and *Spaniſh* Flota, was arriv'd at *Vigo*. Upon which he ſail'd back to the Grand Fleet, and having overtaken it upon the 6th of *October*, gave the

Action at Vigo.

Admiral

Admiral an account of what he had learnt. The Admiral glad of the news, ſent notice of it to the *Dutch* Admiral, and declar'd it his opinion, that they ſhould all ſet ſail directly for *Vigo*. To which purpoſe, the next day he call'd a Council of Flag Officers, wherein a reſolution was taken, that in regard the attempting and deſtroying theſe Ships would be of great advantage to her Majeſty, and no leſs honourable to her and her Allies, and tend in a great meaſure to reduce the exorbitant power of *France*, the Fleet ſhould make the beſt of their way to the Port of *Vigo*, and fall on immediately with the whole line, if there were room ſufficient for it, otherwiſe to aſſail them with ſuch detachments as might render the attempt moſt effectual and ſucceſsful. With theſe reſolutions orders were given for bending their courſe to the ſaid Port with all the ſpeed that might be. But the wind proving either contrary, or very uncertain, 'twas the 11th of the ſame month before the Fleet could gain the Port; and though it was not to be enter'd without great difficulty, that work was performed without any ſiniſter events. 1 ANNÆ, 1702.

The weather prov'd ſo hazy, that the Town of *Vigo* never diſcover'd the Fleet 'till they were juſt upon it; and though they fir'd very thick from the place, the Fleet took little notice of it, but bore up to the Harbour, within three or four miles of *Redondillo*, where the *French* Fleet and Galleons lay, beyond a very narrow ſtreight, believing they had ſecured themſelves by a Caſtle on the one ſide, and Platforms on both ſides of the ſtreights, where the enemy's beſt guns were planted, ſo as to flank the entrance, which was alſo defended by a ſtrong Boom laid athwart it, made up of Maſts, Yards, Cables, Top Chains and Caſks.

1 ANNÆ, 1702. So ſoon as the Fleet came to an anchor, the Admiral call'd a Council of the General ſea and land Officers, wherein it was concluded, that ſince the whole Fleet could not attempt the enemy's Ships and Galleons where they lay, without great danger of running foul one upon another, a detachment of fifteen *Engliſh* and ten *Dutch* Men of War, of the line of battel, with all the Fireſhips, ſhould be ſent in with orders to uſe their beſt endeavours to take or deſtroy the enemy's Fleet, and that the Frigates and Bomb-veſſels ſhould follow the rear of the detachment, and that the great Ships ſhould move after them, and go in, if there ſhould be occaſion.

It was alſo farther concluded, that the army ſhould land the next morning, and attack the Fort on the South ſide of *Redondillo*, and thence proceed on where it might be moſt uſeful to annoy the enemy. But becauſe it was not known what depth of water there might be, 'twas thought convenient to make the attempt with the ſmalleſt Ships. And to give the better countenance to the ſervice, it was farther reſolved, that all the Flag Officers ſhould go in with the Squadron.

In purſuance of this reſult, the Duke of *Ormond* landed in a ſandy Bay about two leagues from *Vigo*, with about 2000 men on the South ſide of the River, not meeting with any oppoſition, and order'd the Grenadiers to march under the Command of Viſcount *Shannon*, directly to the Fort that guarded the entrance into the Harbour where the Boom lay, which he perform'd with an undaunted gallantry. And though there appear'd at the ſame time about 8000 *Spaniſh* foot, between the Fort and the Hills, they only made a ſhew, retiring as the *Engliſh*

Engliſh advanc'd, after ſome ſmall ſkirmiſhing with the Grenadiers, who alſo drove before them another party of the enemy, follow'd them to the Fort, and made themſelves maſters of the lower Battery. Whereupon Lieutenant General *Churchill*'s Regiment advanced upon the left, and took their Poſts as they ſaw moſt convenient. After the Batteries were taken, the enemy retreated into an old Caſtle, or ſtone Tower, and fired from thence upon the *Engliſh* for ſome ſmall time; but opening the Gate, and intending to make a ſalley, the Grenadiers forc'd into the Caſtle, and poſſeſs'd themſelves of it. In this Fort were 300 *French* ſeamen, 50 *Spaniards*, and 40 guns. 1 Anna. 1702.

So ſoon as the land Officers were got aſhoar, the Admiral gave the ſignal to weigh, which was accordingly done, the Line form'd, and the Squadron was briſkly bearing up to the Boom; but when the Van was got within canon ſhot of the Batteries, it fell calm, ſo that they were conſtrain'd to come to an anchor again; but not long after it blowing a freſh gale, the Men of War next the enemy cut their cables, the reſt weighed, and bearing up directly upon the Boom, receiv'd all the enemy's fire, 'till the Men of War were got within the length of the Boom. Vice Admiral *Hopſon* in the *Torbay*, broke thro' at once; but the reſt of his diviſion, and Vice Admiral *Vandergoes* with his detachment, who ſailed abreaſt to add the greater weight to the ſhog, all ſtuck, and were forc'd to hack their way through.

The onſet was made with extraordinary reſolution and bravery, and the good conduct of the land forces contributed very much to the ſucceſs of the enterprize, having contriv'd to aſſail the Forts juſt as the Men of War bearing up to the

1 ANNÆ, 1702. Boom pour'd in their broadſides upon 'em, which conſtrain'd 'em to yield at diſcretion.

The Duke of *Ormond*, as ſoon as this hot ſervice was over, march'd with his forces to *Redondillo*, and 'tis ſaid that he, with the *Dutch*, have ſeized in that place a conſiderable quantity of Plate. When the Confederate Veſſels had paſs'd the Boom, the enemy followed the example of M. *Chateaurenaud*, fir'd, and blew up ſeveral of their Ships, and ran others on ſhoar. However, there being of all ſorts about ſeven or eight and thirty ſail, there was not one that eſcaped being either taken or deſtroyed.

There are five *French* Men of War in poſſeſſion of the *Engliſh*, which the Admiral hopes to bring home.

The *Engliſh* alſo have four Galleons afloat, and two aſhoar, which, if thought impoſſible to be brought home, the Admiral will take care to ſecure the effects for the publick ſervice.

The *Dutch* have taken the *Bourbon*, a Man of War, but ſhe is not in a condition to be carried home, and they have likewiſe made themſelves maſters of five of the Galleons.

There has been ſome Silver taken out of the bottom of the Galleons that were burnt, which is the reaſon, 'tis believed, there may be a good quantity on board thoſe that are taken, or at leaſt that they are very rich in other valuable Goods; there having been little or nothing removed, but only ſome Plate, as the Officers who are priſoners affirm.

There is no particular account of the ſeamen kill'd or wounded, only in general, that but a very few are miſſing. Admiral *Hopſon*'s Ship was clapt on board by a *French* Fireſhip, and had been burnt had not the Fireſhip fortunately blown up. Yet the Vice Admiral received damage by

it,

it, her Foretop-maſt was ſhot by the board, moſt of her Sails burnt and ſcorch'd, the Foreyard burnt to a coal, the Larboard, Shrouds fore and aft burnt at the dead eyes, ſeveral Ports blown off the hinges, her Larboard ſide ſcorch'd, 115 men kill'd and drown'd, and nine wounded. So Admiral *Hopſon* went and hoiſted his Flag on board the *Monmouth*. The *Aſſociation* had her Main-maſt ſhot, two men kill'd. The *Kent* had her Fore-maſt ſhot, and Boatſwain wounded. The *Barfleur* had her Main-maſt ſhot, two men kill'd, and two wounded. The *Mary* had her Boultſprit ſhot. 1 ANNÆ, 1702.

Of the land-men, two Lieutenants and about thirty ſoldiers were ſlain, Collonel *Peirce*, who commanded next the Lord *Shannon*, was wounded with a canon ſhot in the thigh. M. *Talmaſh*, Collonel *Seymour*, and Collonel *Newton* alſo were wounded. The number of the ſlain on the part of the enemy was as inconſiderable as that of the Allies, but about 400 of them were made priſoners, and amongſt them Monſieur *de Alligre*, Commadore of a Squadron. The Marquis *de Galliſoniere*, Monſieur *de Sorel*, and ſeveral other Officers. Monſieur *Chateaurenaud*, and the *Spaniſh* General made their eſcape; but *Don Joſeph Checon*, the *Spaniſh* Admiral, was made priſoner.

Of the 13 Galleons, four were taken by the *Engliſh*, and five by the *Dutch*; and ſome treaſure was taken on board them, but no great quantity; the Plate being the firſt thing ſecur'd upon the apprehenſion of danger. The *Engliſh* alſo took five Men of War, *viz.* The *Le Prompt* of 76 Guns, the *Le Ferme* of 74 Guns, *Le Modere* 54, *Le Aſſure* 66, and the *Triton* of 42 Guns. And the *Dutch* took the *Bourbon* of 68 Guns, and about 14 Men of War and four Galleons were deſtroy'd. *The Ships taken and deſtroy'd at* Vigo.

1 ANNÆ, 1702. On the 16th of *October* Sir *Cloudſley Shovel*, with about 20 Men of War join'd the Grand Fleet, and the next day the Duke of *Ormond* reimbark'd his troops, and on the 19th ſet ſail with Sir *George Rooke* for *England*, leaving Vice-Admiral *Shovel*, and 27 Men of War to convoy home the Prizes, and on the 8th of *November* the Duke of *Ormond* and Admiral *Rooke* arriv'd in town.

Proceedings in Parliament.

Reſolve concerning the four impeach'd Lords.

On the 2d of *November* a motion being made, and the queſtion being put in the Houſe of Commons, *That right had not been done the Commons upon the impeachments before the Lords, brought againſt divers Peers in the* 13th *year of the late King's reign.* It was carry'd in the affirmative, 189 againſt 81.

The occaſional Bill firſt brought.

A Bill was order'd to be brought into the Houſe of Commons *for preventing occaſional Conformity*, and an Addreſs was order'd to be preſented to her Majeſty, for laying before them the copies of the Treaties relating to the war, and ſeveral eſtimates of the charges of the forces; which were laid before them accordingly. And the Commons unanimouſly voted that the thanks of the Houſe be given to his Grace the Duke of *Ormond* and Sir *George Rooke*, for the great and ſignal ſervices perform'd by them by ſea and land. And they reſolved upon an Addreſs to her Majeſty, to congratulate her on the Prince's recovery, who had lately been dangerouſly ill of an Aſthma.

Queen goes to St. Paul's.

The 12th of *November* being appointed for a publick thankſgiving for the ſucceſſes of the Campaign, the Queen went to St. *Paul's*, attended by both Houſes of Parliament, and the great Officers of State. The Biſhop of *London* read the Communion ſervice, and the Biſhop of *Exeter* preach'd before her Majeſty on the xxiiid of *Joſhua*, and the 8th and 9th verſes.

The

1 ANNÆ. 1702.

The Duke of *Ormond* coming into the Houſe of Lords the 13th, the Lord Keeper, in the name of the Houſe, return'd him thanks for his ſignal ſervices perform'd at *Vigo*, but ſoon after addreſs'd her Majeſty to lay before them an account of his Grace's and Sir *George Rooke*'s proceedings in the late expedition; with which her Majeſty complying, the Duke of *Ormond* on the 16th laid his Journal before the Lords.

Thanks return'd the Duke of Ormond *by the Lords.*

At the ſecond reading of the Bill for preventing occaſional Conformity in the Houſe of Commons, the queſtion was put, *That the Committee have power to receive a clauſe for the exempting Diſſenters from ſuch offices as cannot by Law be executed without receiving the Sacrament according to the uſage of the Church of* England. It paſs'd in the Negative.

In this Parliament Sir *John Packington* exhibited a complaint againſt the Biſhop of *Worceſter*, and Mr. *Lloyd* his Son, for certain undue practices in order to prevent his election for the County of *Worceſter*; and the Houſe having examin'd into that matter, reſolv'd, That Sir *John Packington* had by evidence fully made out the charge which he exhibited againſt the Lord Biſhop of *Worceſter*. That it appear'd to the Houſe, that the proceedings of *William* Lord Biſhop of *Worceſter*, his Son, and his Agents, in order to the hindring the election of a Member of the County of *Worceſter*, had been *malicious*, *unchriſtian*, and *arbitrary*, and in high violation of the privileges of the Commons of *England*, and that an humble Addreſs be preſented to her Majeſty, that ſhe would be graciouſly pleaſed to remove *William* Lord Biſhop of *Worceſter* from being Almoner to her Majeſty. And order'd Mr. Attorney General to proſecute Mr. *Lloyd*, the Biſhop's Son, for his ſaid offences, after his privilege as a Member

Votes againſt the Biſhop of Worceſter, *concerning Sir* John Packington's *election.*

1 ANNÆ, 1702. Member of the lower Houſe of Convocation was out. On the other hand, the Lords addreſs'd her Majeſty, ſhewing, That it was the undoubted right of every Lord of Parliament, and of every other ſubject of *England*, to have an opportunity of making his defence, before he ſuffer any ſort of puniſhment, and therefore deſir'd ſhe wou'd not remove the Biſhop of *Worceſter* from the place of Lord Almoner, nor ſhew any mark of her diſpleaſure towards him, till he was found guilty of ſome crime by due courſe of Law: To which her Majeſty anſwer'd, She agreed that every Peer and Lord of Parliament, and indeed every other perſon, ought to have an opportunity of being heard to any matters objected againſt him before he is puniſh'd. That ſhe had not yet receiv'd any complaint againſt the Biſhop of *Worceſter*, but look'd upon it as her undoubted right to continue or diſplace any ſervant attending her own Perſon when ſhe thought proper.

Addreſs of the Lords in behalf of the Biſhop.

Hereupon the Lords reſolv'd, That no Lord of that Houſe ought to ſuffer any ſort of puniſhment by any proceedings of the Houſe of Commons, otherwiſe than according to the known and antient rules and methods of Parliament.

Addreſs of the Commons againſt the Biſhop.

But her Majeſty being attended by Sir *Edward Seymour*, Comptroller of the Houſhold, with the Reſolution and Addreſs of the Commons for removing the Biſhop of *Worceſter* from being Almoner, the Queen anſwer'd, She was very ſorry there was occaſion for this Addreſs againſt the Biſhop of *Worceſter*, and ſhe wou'd direct that he ſhould no longer continue to ſupply that office; for which anſwer the Commons return'd her Majeſty their moſt humble thanks.

He is remov'd from being Almoner.

Thanks of the Commons given Sir George Rooke.

Sir *George Rooke* being ſworn of the Privy Council, and afterwards coming to his place in the Houſe of Commons, Mr. Speaker gave him the thanks

thanks of that Houſe, and told him, That in former times Admirals and Generals had had ſucceſs againſt *France* and *Spain* ſingly; but the action at *Vigo* had been a victory over them confederated together. That he had not only ſpoil'd their enemies, but enrich'd his own Country. Common victories brought only terror to the conquer'd; but he brought deſtruction upon them, and additional ſtrength to *England*. That *France* had endeavour'd to ſupport its ambition by the riches of *India*; but his ſucceſs had left them the burthen of *Spain*, and ſtript them of the aſſiſtance of it. The wealth of *Spain* and Ships of *France*, were by this victory brought over to their juſter cauſe. That this was an action ſo glorious in the performance, and ſo extenſive in its conſequence, that as all times wou'd preſerve the memory of it, ſo every day wou'd more and more inform them of the benefit. No doubt in *France* he was writ in remarkable characters in the *black Liſt* of thoſe who had taken *French* Gold: And 'twas a juſtice due to the Duke of *Ormond* and his merit, that they wou'd ſtand recorded in the Regiſters of that Houſe, as the inſtruments of that glorious victory. Therefore the Houſe having come to this unanimous reſolution, *That the thanks of this Houſe be given to his Grace the Duke of* Ormond, *and Sir* George Rooke, *for the great and ſignal ſervices perform'd by them to the Nation at ſea and land*: He did by their command return him their thanks. 1 ANNÆ, 1702.

The ſame day Mr. Speaker acquainted the Houſe, that that morning the Prolocutor of the lower Houſe of Convocation, and the Dean of *Canterbury*, Archdeacon *Ottley*, and Mr. *Moor*, had been with him, and brought him the following order.

By

1 ANNÆ. 1702.

By the lower House of Convocation.

Die Veneris, Novemb. 20, 1702.

Thanks of the lower House of Convocation to the Commons, for the regard had to their privileges.

ORder'd that the Prolocutor, the Dean of *Canterbury*, Archdeacon *Ottley*, and Mr. *Moor*, do attend Mr. Speaker of the honourable the House of Commons, and return our most humble thanks to him, and to that honourable House, for the great favour to the Church and Convocation, which they have on all occasions been pleased to express: And particularly for the late regard which they of themselves, without suggestion or solicitation, were pleas'd to have for the privilege of this House, in the case of one of our Members, [Mr. *Lloyd*] who had the misfortune to fall under their displeasure: Whereupon the Commons resolv'd, *That they would upon all occasions assert the just rights and privileges of the lower House of Convocation.*

The Queen the same day sent a message to the Commons, recommending a farther provision for the Prince of *Denmark* to their consideration: Whereupon it was unanimously resolv'd, *That the yearly sum of* 100000*l. be settled upon his Royal Highness in case he should survive her Majesty.*

100000*l. settled upon the Prince.*

Submission of the Kentish *Petitioners.*

About this time *Thomas Colepepper*, Esq; one of the *Kentish* Petitioners, who had been so troublesome to the House in the late reign, presented a Petition of another nature, wherein he acknowledg'd, That he had in the reign of his late Majesty given just offence to the House of Commons, and thereby justly drawn on himself not only their displeasure, but also their vote for his prosecution by the Attorney General, and that he was truly sorry for all those causes by which he ever offended the said House of Commons, or might incur their displeasure, and humbly pray'd, that the House would be pleas'd to interpose with her

her Majeſty in his behalf, to give order to her Attorney General to ſurceaſe farther proceedings in the proſecution againſt him. Mr. *Colepepper* hereupon was call'd in, and having own'd the Petition, was commanded to withdraw. Then the Houſe order'd that he ſhould be aſk'd, whether he was ſorry for his ſeveral ſcandalous and ſeditious practices by him acted againſt the honour and privileges of that Houſe, againſt the peace of the Kingdom in general, and quiet of his own Country in particular? And the ſame having been aſk'd him accordingly, he anſwer'd, he was ſorry. And being withdrawn a ſecond time, the Commons reſolv'd to addreſs the Queen to ſtop the proſecution againſt him, which had been made at their deſire; and ſo this matter ended. 1 ANNÆ. 1702.

On the 29th of this month *Thomas Hopſon*, Eſq; Vice-Admiral of the Red, being come home from *Vigo* with Sir *Cloudſley Shovel*, and the remainder of the Fleet which Sir *George Rooke* had left at *Vigo*, Mr. *Hopſon* was preſented to her Majeſty by his Royal Highneſs the Prince of *Denmark*, Lord High Admiral, and the Queen was pleas'd to Knight him for his great ſervices perform'd at *Vigo*, and afterwards ſettled a penſion upon him of 500*l. per Annum* for his life, and 300*l. per Annum* on his Lady in caſe ſhe ſurviv'd him. *Admiral* Hopſon *rewarded.*

The Earl of *Marlborough* alſo being arriv'd from *Holland*, receiv'd the thanks of the Houſe of Commons for the great and ſignal ſervices perform'd by him this Campaign. *Thanks of the Commons to the Earl of* Marlborough.

The Commiſſioners for taking the publick accounts, having by the order of the Houſe of Commons examin'd the accounts of the Earl of *Ranelagh*, Paymaſter of the army, laid them

[1 ANNÆ, 1702. before the Houſe. The Commons on the 7th of *December*, after a full hearing of all parties, unanimouſly reſolv'd, 1. That it appear'd to the Houſe, that the Commiſſioners appointed by Act of Parliament for taking, examining, and ſtating the publick accounts of the Kingdom, had very good grounds for making the obſervations in their narrative or repreſentation laid before the Houſe. 2. That all monies iſſu'd to the Paymaſter General of the army, ought to be apply'd to the uſe of the army and forces only, and to no other uſe or purpoſe whatſoever. 3. That all Privy Seals, Orders of the Treaſury, or other Warrants to the Paymaſter General of the army, to apply the money in his hands to other than the uſe of the army and forces, are illegal and void. 4. That all Privy Seals, or Warrants of the Auditors of the Impreſt, to paſs accounts without proper vouchers, or to make any allowances other than according to the law and courſe of the Exchequer, are illegal and void. 5. That the ſaid Commiſſioners had made good the allegations in their narrative. And 6. That the Paymaſter-General of the army had miſapply'd ſeveral ſums of the publick money.———But the Earl of *Ranelagh*, to avoid any farther animadverſions on his management, thought fit to reſign his place; which was afterwards ſupply'd by Sir *Stephen Fox*, and Mr. *How*.

Votes of the Commons againſt the Earl of Ranelagh.

He reſigns his place of Paymaſter General.

On the 2d of *December* her Majeſty declar'd in a Committee of Council, That ſhe was ſo well ſatisfy'd of the eminent ſervices of my Lord *Marlborough*, to the publick and to her ſelf, both in the command of the army, and the entire confidence he had ſettled between her and the States General, that ſhe intended to make him a Duke, and on the 10th ſhe ſent the following meſſage to the Houſe of Commons.

ANNE R.

ANNE R. 1 ANNÆ, 1702.

THE Earl of *Marlborough*'s ſervices to her Majeſty, and to the publick, have been ſo eminent, both in his command of the army, and in his having eſtabliſh'd an entire confidence and good correſpondence between her Majeſty and the States General, that ſhe has thought fit to grant the title of a Duke of this Kingdom to him, and to the heirs male of his body, and alſo a penſion of 5000*l. per Annum* upon the revenue of the Poſt Office, for the ſupport of his Honour during her Majeſty's natural life. If it had been in her Majeſty's power, ſhe would have granted the ſame term in the penſion as in the honour; and ſhe hopes you will think it ſo reaſonable in this caſe, as to find ſome proper methods of doing it.

Queen's meſſage in behalf of the Earl of Marlborough.

The Commons ſhewing little inclination to comply with this meſſage, and there ariſing high debates upon it, the Duke procur'd another meſſage to be ſent to the Houſe, whereby her Majeſty acquainted them, that the Duke of *Marlborough* had declin'd her Majeſty's meſſage ſent them before; but whether this did not confirm his antipathy to a certain party, and induce him to unite himſelf the more firmly to another intereſt, will hardly bear a queſtion.

Not comply'd with by the Commons.

However, the Commons reſolv'd to addreſs her Majeſty on the ſubject of her firſt meſſage; wherein they declar'd their unanimous ſatisfaction in the juſt eſteem her Majeſty expreſs'd of the eminent ſervices perform'd by the Duke of *Marlborough*; who had not only by his conduct of the army, *retriev'd* the antient honour and glory of the *Engliſh* Nation, but by his negociations eſtabliſh'd an entire confidence and good correſpondence between her Majeſty and the States General; and therein vindicated the Gentlemen of

Addreſs of the Commons on the Queen's meſſage.

1 ANNÆ, 1702. of *England*, who had by the vile practices of deſigning men, been traduc'd, and induſtriouſly repreſented as falſe to her Majeſty's Allies, becauſe they were true to the intereſt of their Country.

It was to their inexpreſſible grief that her dutiful Commons found any inſtances where they were unable to comply with what her Majeſty propos'd to them, but they begg'd leave to lay before her the apprehenſions they had of making a precedent for alienating the revenues of the Crown; which had been ſo much reduc'd by the exorbitant grants of the laſt Reign, and which had been ſo lately ſecur'd by her Majeſty's unparallel'd grace and goodneſs.

That they were infinitely pleaſed to obſerve, that the only way to obtain her Majeſty's favour, was to deſerve well of the publick: And aſſur'd her, that whenever ſhe ſhould think fit to reward ſuch merit, it wou'd be to the entire ſatisfaction of her people.

Occaſional Bill paſſes the Commons.

The Commons having paſs'd the Bill *for preventing occaſional Conformity*, and ſent it up to the Lords, their Lordſhips ſent it down again with ſeveral amendments; to which being pretty well ſatisfied, the Commons wou'd never agree; and being apprehenſive the Commons might endeavour the paſſing it without them, they voted, *That the annexing any Clauſe to a Money Bill was contrary to the Conſtitution of the* Engliſh *Government, and the uſage of Parliament*; and ordered this Vote to be inſerted in the Roll of the ſtanding orders of their Houſe.

Votes of the Lords againſt tacking.

The Commons having taken their Lordſhips amendments into conſideration, agreed to ſome of them, but as to others to which they cou'd not agree, they drew up Reaſons to be offer'd

at

at a Conference with that Houſe. And ſeveral Conferences were held upon that ſubject, in which the debates run pretty high, and the people without doors were variouſly affected; but a majority of the Nation ſeem'd to concur with the Houſe of Commons. 1 ANNÆ' 1702.

The principal alterations and amendments which the Commons diſagreed to, were theſe. In the preamble, the Lords inſiſted on leaving out theſe words, *viz.* The Laws do provide that every perſon to be admitted into any office or employment, ſhou'd be conformable to the Church as it is by Law eſtabliſh'd, by enacting that every ſuch Perſon ſo to be admitted ſhould receive the Sacrament of the Lord's Supper, according to the Rights and Uſage of the Church of *England*. The Lords left out the word *ſuch*. *Third amendment diſagreed to.*

Inſtead of the words One hundred pounds, and five pounds for every day that any ſuch perſons ſhall continue in the execution of ſuch office or employment, the Lords inſerted the following words, Twenty pounds to be divided into three parts, whereof one third part to the Queen, one other to the poor of the pariſh where the offence ſhall be committed, and one third part to the informer. *Fourth amendment and eighth amendment diſagreed to.*

And the Lords alſo inſiſted on leaving out the following words in the diſabling Clauſe, *viz.* And ſhall be adjudg'd incapable to bear any office or employment whatſoever within the Kingdom of *England*; provided always, and be it further enacted, that if any perſon or perſons who ſhall have been convicted, as aforeſaid, and thereby made incapable to hold any office or employment, ſhall after ſuch conviction conform to the Church of *England* for the ſpace of one year, without having been preſent at any Conventicle, and receive the Sacrament of the Lord's Supper at leaſt three times in the year, every ſuch perſon *Ninth amendment diſagreed to.*

1 ANNÆ, 1702. or perſons ſhall be capable of a grant of any office or employment, or of being elected into, or holding any the offices or employments aforeſaid.

Provided alſo, and be it enacted, That every perſon ſo convicted, and afterwards conforming, ſhall at the next Term after his admiſſion into any ſuch office, make oath in writing, in any of her Majeſty's Courts at *Weſtminſter*, in publick and open Court, between the hours of nine of the clock and twelve in the forenoon, or at the next Quarter Seſſions for that County or place where he ſhall reſide, that he has conform'd to the Church of *England* for the ſpace of one year before ſuch his admiſſion, without having been preſent at any Conventicle, and that he has receiv'd the Sacrament of the Lord's Supper at leaſt three times in the year. Which oath ſhall be there enroll'd and kept upon Record. Provided alſo, and be it further enacted, That if any perſon after ſuch his admiſſion into any office, ſhall a ſecond time offend in manner aforeſaid, and ſhall be thereof lawfully convicted, he ſhall for ſuch offence incur double the penalties beforementioned, to be recover'd in the manner as aforeſaid, and ſhall forfeit ſuch office or employment, and ſhall not be capable of having any office or employment until he ſhall have conformed for the ſpace of three years in manner aforeſaid. Whereof oath ſhall be made in writing in one of her Majeſty's Courts at *Weſtminſter*, or at the Quarter Seſſions where he reſides.

The four following Proviſoes, which were added by the Lords, were alſo diſagreed to by the Commons, (*viz.*) Provided always, and be it enacted, That from and after the ſaid firſt day of *March*, no Proteſtant Diſſenter ſhall be compelled

Proviſo B. *An.* 177, *diſagreed to.*

pelled or compellable to take, ſerve, hold, or bear any office or place whatſoever for the taking, ſerving, or holding whereof he cannot be duly qualified by Law, without receiving the holy Sacrament according to the uſage of the Church of *England*, and alſo making and ſubſcribing the Declaration mentioned in the Statute made 25 *Car.* 2. intitled, An Act for preventing dangers which may happen from Popiſh Recuſants, any Statute, Law, Uſage, or other thing to the contrary notwithſtanding.

Provided nevertheleſs, That this Act ſhall not extend to the Univerſity Churches in the Univerſities of this Realm, or either of them, when or at ſuch times as any Sermon or Lecture preached or read in the ſame Churches, or any of them, for, or as the publick Univerſity Sermon or Lecture, but that the ſame Sermons and Lectures may be preach'd or read in ſuch ſort or manner as the ſame have been heretofore preach'd or read; this Act, or any thing therein contained to the contrary in any wiſe notwithſtanding. *Proviſo* C. *diſagreed to.*

Provided, That no perſon ſhall incur any the penalties in this Act, by reſorting to, or being preſent at the religious exerciſes uſed in the *Dutch* and *French* Languages in Churches eſtabliſh'd in this Realm, in the Reigns of King *Edward* VI. or of Queen *Elizabeth*, or of any other King or Queen of this Realm. *Proviſo* D. *diſagreed to.*

Provided always, and be it enacted, That nothing in this Act ſhall extend or be conſtrued to extend to any Governors of any Hoſpitals, or to any Aſſiſtants of any Corporations, Work-houſes conſtituted, erected, or employed for the relief and ſetting of the Poor on work, and for puniſhing of Vagrants and Beggars; all which ſaid perſons, and every of them, ſhall be and are hereby exempted from all the penalties mentioned *Proviſo* E. *diſagreed to.*

1 ANNÆ, 1702. in this Act, and are hereby adjudged and declared not to be ſubject or liable to any of the penalties or forfeitures mentioned in one Act of Parliament made in the 25th year of the reign of King *Charles* II. for preventing dangers which may happen from Popiſh Recuſants, for or by reaſon of any of the aforeſaid offices or employments.

Conference on the occaſional Bill. At a conference with the Lords, the Commons ſaid, That the intent of this Bill for preventing occaſional Conformity, was only to reſtrain a very ſcandalous practice, which is a reproach to Religion, gives offence to all good Chriſtians, and to the beſt among the Diſſenters themſelves. That this Bill enacted nothing new, and was only intended to make the Laws in being more effectual. That thoſe Laws were thought ſufficient to ſecure our Eſtabliſhment; but ſince the invention and iniquity of men had found out ways to elude them, the Commons could never doubt but the Lords would let thoſe men ſee they would not be wanting on their part to maintain and ſupport it. That this Bill appeared to the Commons abſolutely neceſſary for the preventing thoſe miſchiefs which muſt prove deſtructive to the Church and Monarchy. That the Commons were incapable of having any deſigns they were aſhamed to own; and as they deſigned nothing but the preſervation of the Church of *England*, and the Monarchy; ſo they doubted not to meet with a ready concurrence from the Lords in theſe deſigns. That an Eſtabliſh'd Religion, and a National Church, are abſolutely neceſſary, when ſo many ill men pretend to inſpiration, and when there are ſo many weak men to follow them. That if a National Church be neceſſary, the only effectual way to preſerve it is by keeping the Civil power

in

in the hands of thoſe whoſe Practices and Principles are conformable to it. That when the Corporation Act was made, the Parliament had freſh in their minds the confuſion and calamities that had been brought upon the Nation by ſuch as pretended to be at the ſame time in the true intereſt of Religion, and of their Country. That the Parliaments by that Act, and afterwards by the Teſt Act, thought they had ſecured our Eſtabliſhment both in Church and State; and that they had provided a ſufficient Barrier to defeat and diſappoint any attempts againſt them, by enacting, That all in offices ſhou'd receive the Sacrament of the Lord's Supper, according to the Rites and Uſage of the Church of *England*; and never imagin'd a ſet of men cou'd at any time riſe up, whoſe Conſciences were too tender to obey the Laws, but hardned enough to break them. That as upon the Revolution the laſt Reign begun with an Act in favour of the Diſſenters, ſo the Commons did deſire, in the beginning of her Majeſty's auſpicious Reign, an Act might paſs in favour of the Church of *England*; that the Laws which had been evaded might now be effectually enforced; and that thoſe men might be kept out of offices who have ſhewn they never wanted the will, when they had the power, to deſtroy the Church. And that nothing had been more miſrepreſented than this Bill, which did not in any reſpect intrench on the Act of Toleration, or take from the Diſſenters any one Privilege they have by Law, or give any one Privilege to the Church of *England*, which was not (at leaſt) intended her by the Laws as they now ſtand. 1 ANNÆ, 1702.

Then advancing to particulars, the Managers of the lower Houſe told the Lords, That the Commons inſiſted on their diſagreement to the

1 ANNÆ. 1702. ſecond and third amendment made by the Lords in the preamble of the Bill, and on their diſagreement to the fourth amendment, and argued, that a preamble is to declare the occaſion of making a Law. That it is no Law, but if it be proper to the enacting clauſe, it is a proper preamble. That the propoſitions advanc'd in this preamble are theſe: That whatſoever perſons are enacted to qualify themſelves, the Laws intend ſhould be conformable to the Church. That if the Laws provide they ſhall receive the Sacrament, and by that intend a Conformity, then whoſoever breaks the intention of the Law breaks the Law, or at leaſt evades the Law, and it is fit to provide againſt ſuch practice. That if it be fit the Corporation Clauſe ſhould ſtand in the body of the Bill, the Lords reaſon for the amendments in the preamble will not be of weight. That the preamble mentions ſuch perſons and ſuch offices, which muſt be the perſons and the offices the Acts relate to, and can be no other. That the word enacting can be only underſtood of the Laws that do ſo enact, and being relative is ſtill more plain and neceſſary. That however, if the Lords had pleaſed, they might, by a very little amendment, have obviated the objection they make to theſe words, by changing every perſon into ſeveral perſons, which would have reconcil'd them to the moſt rigid conſtruction.

As to the 8th amendment, to which the Commons diſagreed, That if the Lords were pleas'd to conſider, how much greater the penalties in other penal Laws were in many inſtances than in this Bill, they preſumed the Lords could not think thoſe in this Bill exceſſive. That in laying penalties, the Commons ſhall always endeavour to make them ſuch as ſhall neither tempt to perjury, nor totally diſcourage informations

and

and proſecutions which they thought this amend- 1 ANNÆ. 1702.
ment of the Lords would do, could the Commons agree to it. As to the Commons diſagreeing to their Lordſhips 9th amendment, they alledg'd, That the puniſhment of incapacity, the recapacitating, and the encreaſe of puniſhment for a ſecond offence, are warranted by many precedents of the like nature in other penal Laws. That an incapacity, as qualified by the ſubſequent proviſo, is a very proper puniſhment. That a ſecond offence is a relapſe, an apoſtacy, which are circumſtances that aggravate and make it more heinous than the firſt offence, and therefore deſerve an encreaſe of puniſhment. That he is indeed reduced to a very unhappy condition who is made incapable of ſerving his Prince and Country. But in the preſent caſe, our Prince and Country would be in a more unhappy condition to be ſerved by ſuch whoſe Principles are inconſiſtent with the good and welfare of our Eſtabliſhment. That the Commons could never imagine the Lords could infer from this incapacity the taking away the Toleration. That the Toleration was intended only for the eaſe of tender and ſcrupulous Conſciences, and not to give a licenſe for occaſional Conformity. That conforming and nonconforming are contradictions; nothing but a firm perſuaſion that our terms of Communion are ſinful and unlawful can juſtify the one, and that plainly condemns the other. Laſtly, As to the Commons diſagreeing to the Clauſe mark'd B, C, D, and E, their managers urg'd, That the exempting Proteſtant Diſſenters from ſerving offices, would rather eſtabliſh occaſional Nonconformity than prevent occaſional Conformity, and therefore encreaſe, not cure, the evil the Bill was intended to remedy. That the Act of Uniformity, which

1 ANNÆ, 1702. eſtabliſhes the Liturgy and practice of the Church of *England*, has provided for the Sermons or Lectures preach'd or read in the Univerſities. That thoſe Sermons and Lectures having been in ſuch manner provided for, it was not thought neceſſary when the Acts paſſed in the 16th and 22d *Car.* II. to prevent and ſuppreſs ſeditious Conventicles (in both which Acts Conventicles are deſcribed as in this Bill) to have any particular exceptions for them; and yet they were never by any conſtruction taken to be Conventicles. That the allowing an exemption to ſuch as ſhould be preſent at the exerciſes in the foreign reform'd Churches, would be to open a door for the evading this Law. That the places of Governors of ſome Hoſpitals, are very conſiderable preferments, and given as ſuch to the Clergy of the Church of *England*; and the Commons can never conſent by any Law to let in the *Diſſenters* to the enjoyment of them.

I have mentioned only thoſe alterations and amendments of the Lords, to which the Commons peremptorily diſagreed, and upon which the Bill miſcarried; and leave the reader to judge whether their Lordſhips were in the right in inſiſting upon them, or the Commons in rejecting them.

Commiſſioners appointed to treat of a union.

The Queen being empower'd by an Act of Parliament of each Kingdom, to appoint Commiſſioners to treat of a union of the two Kingdoms, appointed Commiſſioners accordingly: But this Treaty not ſucceeding, I ſhall take no farther notice of it here, only inſert an Addreſs of the *Scots* Epiſcopal Clergy to the Queen; who entertain'd ſome hopes at this time of being reſtor'd to their Benefices if the Treaty proceeded.

WE your Majeſty's moſt humble, dutiful, loyal, and moſt obedient ſubjects, look on it as no ſmall bleſſing to have a Queen of our antient race of Kings, who has always been a pattern of virtue, and a conſtant ſupport and owner of the true reform'd orthodox Religion, and who ſince her coming to the Crown of her illuſtrious Anceſtors, has ſhewn ſuch good and generous inclinations to make all her ſubjects live happily, that we have preſum'd moſt humbly to addreſs your Majeſty to take into your Royal conſideration the condition of the ſubjects of the Epiſcopal Perſuaſion in this Kingdom. It is not unknown to your Majeſty the hard meaſures and diſcouragements they have met with of late years, particularly thoſe of the Clergy, tho' they have always behav'd themſelves (as their principles oblige them to do) peaceably and ſubmiſſively to ſupreme authority.

1 ANNÆ, 1702.

Addreſs of the Scots *Epiſcopal Clergy to the Queen.*

May it therefore pleaſe your ſacred Majeſty to take thoſe into your Royal protection, and give liberty to ſuch pariſhes where all or moſt of the heretors and inhabitants are of the Epiſcopal Perſuaſion, to call, place, and give Benefices to Miniſters of their own principles; which the *Preſbyterians* themſelves can have no reaſon to complain of: For if the plurality they pretend to be true, by this Act of Grace neither their Churches nor Benefices are in hazard; which favour will oblige us more and more out of gratitude as well as duty, to ſend up our prayers to Almighty God, that the ſame good Providence which plac'd your Majeſty on the Throne, and has bleſs'd the beginning of your Reign with ſuch glorious ſucceſs, may preſerve your Majeſty for a bleſſing to theſe Lands, and that we may never want a true Proteſtant of the ſame Royal Blood to govern us while ſun and moon endure.

Upon

1 ANNÆ. 1702.

Upon the 13th of *December* a Proclamation was iſſu'd for the diſcovery and recovering of all ſuch Goods, Plate, and other effects, as contrary to her Majeſty's and the Duke of *Ormond*'s expreſs commands, were plunder'd or embezzled at Port St. *Mary*'s, or from the Galleons taken at *Vigo*, and put on board her Majeſty's Men of War, or other Veſſels; her Majeſty reſerving to her ſelf the power of rewarding every one who had been in thoſe ſervices. Another Proclamation was alſo publiſh'd, prohibiting all Merchants Ships carrying Jacks, Pendants, *&c.* in ſhape or mixture of colours like her Majeſty's, without warrant.

Proclamation for diſcovery of the Goods plunder'd at Port St. Mary's and Vigo.

Lord Lieutenants made.

On the 23d of *December Hugh* Lord *Cholmondley* was made Lord Lieutenant of the Counties of *Denbigh*, *Montgomery*, *Flint*, *Merioneth*, *Carnarvan*, and *Angleſea*. *James* Earl of *Derby*, Lord Lieutenant of the County of *Lancaſter*, and *Scroop* Earl of *Bridgwater*, Lord Lieutenant of the County of *Bucks*. About this time the Earl of *Carliſle*, Earl Marſhal of *England*, gave publick notice, that it was her Majeſty's pleaſure, that whenever there ſhou'd be occaſion to embroider, depict, grave, carve, or paint her Majeſty's Arms, the words *Semper eadem* ſhould be us'd for the Motto; being the ſame with her Predeceſſor Queen *Elizabeth*'s.

Queen's Motto, Semper eadem.

Admiral Bembow's *engagement with* Du Caſſe.

We receiv'd an account about this time of Admiral *Bembow*'s misfortune in an engagement with Monſieur *Du Caſſe* in the *Weſt Indies* the latter end of *Auguſt*. The Admiral having with him ſix of her Majeſty's Ships, on the 19th of *Auguſt* fell in with *Du Caſſe*'s Squadron, conſiſting of ten ſail in all; but only four of them were Ships of force, and the Admiral was in a fair way of taking or deſtroying them if he had not been deſerted during the engagement, either thro'

thro' the cowardiſe of his Captains, or a deſign to ſacrifice him to the enemy. The Admiral in this encounter had one of his legs broke to pieces by a chain'd ſhot, and finding it impoſſible to make the reſt of the Men of War do their duty, he was compell'd to give over the chace, and return to *Jamaica*; where thoſe Captains who deſerted him were try'd for cowardiſe and breach of orders; and Captain *Kirby*, Commander of the *Defiance*, was ſentenc'd to be ſhot, as was Captain *Cooper Wade*, Commander of the *Greenwich*. Captain *Hutſon*, Commander of the *Pendennis*, died ſome days before his tryal, and Captain *Conſtable*, Commander of the *Windſor*, was ſentenc'd to be caſhier'd. *Wade* and *Kirby* were executed according to their ſentence on their arrival at *Plimouth*, without being ſuffer'd to come aſhoar. The Admiral died of his wounds in the *Weſt Indies*, very much regretted, being one of the beſt ſea Commanders of his time. 1 Annæ, 1702.

This is not the only inſtance wherein the Nation ſuffer'd by the unſkilfulneſs, treachery, or cowardiſe of our Commanders at ſea in the firſt year of the Queen: Nor is it much to be wonder'd at, when in a preceding Reign that covetous ſpirit had overſpread the face of the whole Kingdom, when men perfectly ſcrambled for the revenues of the Crown, and made their private fortunes out of the Nation's treaſure: When money oftner than merit gain'd admiſſion to a Command, no wonder that ſuch ſcoundrels as *Wade* and *Kirby* were truſted with our Men of War: And the Queen cou'd not do a piece of juſtice more ſeaſonably, or more acceptable to the Kingdom, than by ſhewing that reſentment ſhe did upon this occaſion, commanding the wretches to be executed before they ſet their feet on ſhoar.

And

1 ANNÆ, 1702.

The Dutch *apply to the Queen in their diſtreſs.*

And now the *Dutch* either really apprehending, or pretending to apprehend the ruin of their Country the next ſpring, from the great preparations that were made by the *French*, apply'd themſelves to the Queen in much the ſame ſubmiſſive ſtrain they heretofore had done to her Predeceſſor Queen *Elizabeth*, and we, good people, conſented to augment our forces in the *Netherlands* to 50000 men, without ſtipulating for any thing on our part, unleſs it were, that the *Dutch* ſhould prohibit all trade and correſpondence with *France*, the Nation they ſo much dreaded; and even with this Article they hardly ever comply'd during the war: Theſe Gentlemen having found out means of carrying on their trade even in the midſt of war, and in ſome reſpects to greater advantage than in times of peace; for their Allies having excluded themſelves from any ſuch traffick, retail'd the enemies Goods from them at an exceſſive price.

We did not do as Queen *Elizabeth*, inſiſt on cautionary Towns, but aſſiſted them with four times the forces ſhe had done without aſking any thing on our parts. We were ſo far from ſelfiſhly deſigning to ſtrengthen or enrich our ſelves by the conqueſts we ſhould make for them, that we were not to retain one Town, nor were our forces to be ſubſiſted by the revenues of the conquer'd Countries: Who manag'd theſe negotiations, or what private views they might have, I leave to others to conjecture. And 'tis more than probable, that this augmentation of our troops in *Holland*, broke the neck of a very advantagious project that had been form'd for carrying on the war in the *Weſt Indies* (the only part of the world where we were to keep what we conquer'd by the Grand Alliance.) Here the enemy would have been moſt ſenſibly affected by being

The war in the Weſt Indies *neglected.*

being depriv'd of thoſe treaſures whereby they ſupported the war againſt us: But the danger the *Dutch* pretended to be in, prevail'd ſo far above all other conſiderations, tho' their condition was much improv'd by the ſucceſſes of the laſt Campaign, that every other deſign was neglected. The ſchemes that were laid when we enter'd into this war had been wiſely fram'd: By theſe the *Engliſh* were principally to have attended the ſea ſervice, their proper Province, as they had done in Queen *Elizabeth*'s reign, when the ſpoils of the enemy almoſt ſupply'd the place of taxes; and it was very unhappy that this Order was now inverted, and we ſhould be deſtin'd to principals in a land war; the effects whereof may remain as long as we are a Nation. 1 ANN. A. 1702.

The *Dutch* Admiral *Vanderduſſen*, tho' actually arriv'd at *Spithead* with a Squadron of Men of War and land forces, in order to have join'd a Squadron of *Engliſh* with land forces on board, (which were to have been commanded by my Lord *Peterborough* in the *Weſt Indies*) ſo ſoon as this augmentation of troops in *Holland* was agreed, was commanded to return home, and that expedition wholly laid aſide; and what is more to be regretted, hardly any thing of that nature was afterwards attempted during the War, *Flanders* ſo ingroſs'd our attention. Indeed the Commons, conſcious what immenſe ſums muſt be ſent over the water (never to return or circulate amongſt us more) for the ſubſiſtence of our troops in the low Countries, addreſs'd her Majeſty that ſhe would pleaſe to concert meaſures for furniſhing her forces there *as far as poſſible*, with the manufactures, corn, and other product of *England*. Her Majeſty anſwer'd, That ſhe would comply with this Addreſs *as far as poſſibly ſhe cou'd*. But every one knows that the ſupplying them

Addreſs for ſupplying the troops in Flanders *with proviſions from hence.*

1 ANNÆ, 1702. them with proviſions was impracticable; clothes and arms indeed for the *Engliſh* might have been ſupply'd from hence, tho' I am miſinform'd if arms and ammunition were not ſometimes provided elſewhere. And as to the mercenaries taken into our pay, their clothing, arms, and whole ſubſiſtence were found them abroad; and theſe made no inconſiderable ſhare of our quota: Therefore ſince it was determin'd to maintain ſuch a force abroad, whether, upon many accounts, it had not been leſs prejudicial to the Nation to have rais'd troops in the Dominions of this Crown, than to entertain Foreigners in our ſervice, may deſerve conſideration if ever we enter into ſuch another war.

In the beginning of *February* the Earl of *Rocheſter* deſiring to be recall'd from his Government in *Ireland*, the Duke of *Ormond* was declar'd Lord Lieutenant of that Kingdom. How the Kingdom of *Scotland* ſtood affected, and what party her Majeſty moſt eſpouſed at this time there, will appear from her Letter to the Privy Council of that Kingdom.

ANNE R.

Queen's Letter to the Privy Council of Scotland.

RIght truſty and right well beloved Couſins and Counſellors, *&c.* we greet you well. Having by our Royal Commiſſion of this date, eſtabliſh'd you to be our Privy Council in our antient Kingdom of *Scotland*, in an entire confidence of your prudence, experience and loyalty, and eſpecially of your firmneſs to the reformed Proteſtant Religion: We do in the firſt place recommend to your care the Church now eſtabliſh'd by Law, in its ſuperior and inferior Judicatures, ſuch as Seſſions, Preſbyteries, Synods, and general Aſſemblies; as alſo in the exerciſe of their holy functions, and in what concerns their Perſons

ſons and Benefices. We are inform'd that there are many *Diſſenters* within that Kingdom, who, albeit they differ from the eſtabliſh'd Church in opinion as to Church Government and form, yet are of the Proteſtant reform'd Religion; ſome of which are in poſſeſſion of Benefices, and others exerciſe their worſhip in Meeting-houſes. It is our Royal pleaſure that they ſhould be directed to live ſuitably to the reform'd Religion which they profeſs, ſubmiſſively to our Laws, decently and regularly with relation to the Church eſtabliſh'd by Law, as good Chriſtians and ſubjects; and in ſo doing that they be protected in the peaceable exerciſe of their Religion, and in their perſons and eſtates, according to the Laws of the Kingdom. And we recommend to the Clergy of the eſtabliſh'd diſcipline, their living in brotherly love and communion with ſuch *Diſſenters*. In the next place, we recommend to you the protection of all our civil Judicatures, and the execution of our Laws for the good of our people; and that you direct our Sheriffs and Juſtices of the Peace to a diligent execution of the Laws, in ſo far as is committed to them. And in the third place, the ſecurity and peace of the Kingdom: And for this end, that you will take ſpecial inſpection of the diligences done by our Highland Commiſſioners, we recommend likewiſe to you, to enjoin the obſervation of thoſe Laws which tend to the encouragement of trade and manufactories, for the good and profit of our people; whoſe proſperity and ſafety is our greateſt concern. That our forces within the Kingdom obſerve diſcipline, and occaſion no grievance to our other ſubjects: And for this end, it is our Royal pleaſure: And we have given our ſpecial orders to our Treaſury for paying them exactly and timouſly, according to our Eſtabliſhment.

1 ANNÆ. 1702.

We

1 ANNÆ. 1702. We doubt not that the Funds appointed for their pay by us, and our Parliament, (whoſe authority we are firmly reſolved to ſuſtain) will be duly paid in by all who are liable thereto; and if any ſhall fail therein, to evite the inconveniencies by the ſoldiers want of pay; it is our Royal pleaſure, that you cauſe ſuch execution to be made uſe of for timely inbringing thereof, as is preſcribed by our Laws; and if there be any undutiful oppoſition made by whatſomever perſon and perſons to thoſe our juſt Commands, we require of you to call them before you in legal manner, and to puniſh the guilty as accords by Law. We expect your information, from time to time, of what occurs in our and our people's concerns; and that they may know theſe our Royal intentions and affections to them, you ſhall cauſe, print, and publiſh this our Letter in ſuch manner as is uſual. And ſo we bid you heartily farewel.

Given at our Court at St. *James*'s the 4th day of *February*, 1702, and of our Reign the firſt year.

By her Majeſty's Command,

TARBAT.

Proceedings of the Parliament of England. A ſtate of the Receipts and Iſſues of the publick Revenue being about this time laid before the Commons by the Commiſſioners for taking the publick Accounts; it was reſolv'd, That the borrowing of Money, and ſtriking Tallies with intereſt unneceſſary before the publick occaſions requir'd the ſame, had been one reaſon of the great Debt which lay upon the Nation: And that the applying of the publick Money to the uſe of the Civil Liſt, which was otherwiſe provided for, was another cauſe of that great Debt.

Collonel

Collonel *Bierly* alſo, from the Commiſſioners of Accounts, reported, That purſuant to an order of the Houſe, by which they were directed to examine the Auditor, and other officers of the *Exchequer*, relating to the paſſing of the Accounts of the publick Money, and to lay before the Houſe what they ſhould find to be the cauſe that the Accounts were not annually and duly paſs'd, according to the Laws in that caſe, and thro' whoſe default it had happen'd. This report, and ſeveral paragraphs of the Commiſſioners obſervations being read, the Houſe reſolved, 1. That *Charles* Lord *Halliſax*, Auditor of the Receipt of the *Exchequer*, had neglected his duty, and was guilty of a Breach of Truſt in not tranſmitting the impreſt Rolls half yearly to the King's Remembrancer, according to the Act made in the Seſſion of Parliament held in the 8th and 9th year of his late Majeſty's Reign, intitled, An Act for the better obſervation of the courſe anciently uſed in the Receipt of *Exchequer*. 2. That the allowing Accountants the charges of Law-ſuits to determine the right of their offices, was a miſapplication of the publick Money. 3. That the Auditors of the Impreſt had been guilty of a great neglect of their duty, in not certifying the King's Remembrancer the neglect of the ſeveral annual Accountants, that proceſs might go out againſt them. And, 4. That it appear'd to the Houſe that there had been a general miſmanagement of the publick Money, by not obliging Accountants to make up their Accounts, and by continuing Receivers in ſeveral Countries, contrary to Law, who had neglected to make up their Accounts in due time, which had been a great abuſe to the publick, and another cauſe of the great Debt that lay upon the Nation. On the 27th the

1 ANNÆ, 1702.

Report concerning the Lord Halliſax.

1 ANNÆ. 1702. Commons having proceeded in the further conſideration of the obſervations of the Commiſſioners for publick Accounts, Reſolved, 1. That the Money impreſt out of the *Exchequer* for the ſervice of the publick ought to be kept by the reſpective officers in their own cuſtody, until the ſame ſhall be paid to the uſes for which it was directed. 2. That *Charles* Lord *Halliſax*, Auditor of the Receipt of the *Exchequer*, had been guilty of a Breach of Truſt, in not examining every three months the Tellers Vouchers for the payments upon the Annuities, which he allow'd in his weekly Certificates, according to the forementioned Act of Parliament. 3. That the reſolutions relating to the Lord *Halliſax* be laid before her Majeſty. And, 4. That an Addreſs be preſented to her Majeſty, that ſhe wou'd be pleas'd to give directions to the Attorney General to proſecute that Lord for his ſaid offences. Five days after Collonel *Granville* acquainted the Houſe, that the Queen had been pleaſed to ſay, That ſhe would ſend to the Attorney General, and give him her directions purſuant to this Addreſs. The ſame day the Commons reſum'd the adjourn'd debate upon the laſt obſervation of the Commiſſioners for publick Accounts; and the reſolutions of the 4th and 7th of *December* laſt, relating to the Earl of *Ranelaugh* being read, it was reſolved, That the ſaid Earl, being guilty of a high crime and miſdemeanor in miſapplying ſeveral Sums of the publick Money, be expell'd that Houſe. And that an Addreſs be drawn up to be preſented to her Majeſty, upon the narrative, repreſentation and obſervation of the ſaid Commiſſioners, and upon the reſolution of the Houſe of Commons thereupon, and upon the debate of the Houſe.

Lord Halliſax *order'd to be proſecuted.*

Earl of Ranelaugh *expelled the Houſe of Commons.*

The

1 ANNÆ. 1702.

The Lords also were pleas'd to take upon them to examine the publick Accounts, and sent a message to the Commons, desiring that the Commissioners of Accounts might attend them; but with this message the Commons did not think fit to comply. However, their Lordships proceeded in their examination, and resolv'd, That *Charles* Lord *Hallifax*, Auditor of the Receipt of the *Exchequer*, had perform'd the duty of his office, in transmitting the ordinary imprest Rolls to the Queen's Remembrancer, according to the ancient Custom of the *Exchequer*, and the direction of the Act of the 8th and 9th of *W.* III. And that he had not been guilty of any neglect or breach of Trust upon that account, and order'd their proceedings to be forthwith printed and published.

The Lords examine the publick Accounts, and resolve the Lord Hallifax had done his duty.

On the 16th of *February*, the Commons sent to desire a Conference with the Lords upon this proceeding, to which their Lordships agreed. At this Conference the Managers for the Commons offer'd the following Reasons why they cou'd not comply with their Lordships message concerning the Commissioners of Accounts attending them, *viz.*

The Commons Reasons against the Lords examining the publick Accounts.

The Commons cannot comply with your Lordships desires contain'd in your message of the 4th instant, because the Commons are still of the same opinion as was deliver'd to your Lordships in *February*, 1691, at a free conference upon the subject matter of the amendments made by the Lords to the additional Bill for the appointing and enabling Commissioners to examine, take and state the publick Accounts of the Kingdom, when they desired to know the end your Lordships would propose to yourselves by an enquiry into the publick Accounts; for should any misapplication of money, or default of distribu-

1 ANNÆ, 1702. tion, appear in the Accounts, your Lordſhips cannot take cognizance thereof originally, or otherwiſe, even in your judicial capacity, than at the complaint of the Commons. And ſhould a failure, or want of money appear, it is not in your Lordſhips power to redreſs it. For the grant of all aids is in the Commons only, or if there be any ſurpluſage, the Commons only can apply it to the charge of the enſuing year.

But ſhould the Commons give leave to the Commiſſioners to attend your Lordſhips, no information they can give againſt any perſon whatſoever can entitle your Lordſhips either to acquit or condemn. Yet ſince this meſſage, the Commons find in your Lordſhips Journals a reſolution, declaring, That *Charles* Lord *Halifax*, Auditor of the Receipt of the *Exchequer*, has perform'd the duty of his office, *&c.* which looks to the Commons as if your Lordſhips pretended to give judgment of acquittal without any accuſation brought before your Lordſhips, and conſequently without any trial. And that which makes your Lordſhips proceeding yet more irregular, it tends to prejudging a cauſe which might regularly have come before you, either originally by Impeachment, or by Writ of Error from the Courts below; and therefore the Commons can ſee no uſe of their reſolution, unleſs it be either to intimidate the Judges, or prepoſſeſs a Jury. But if your Lordſhips could have judg'd in this matter, it does not appear by your Lordſhips Journals, that you have had under examination the reſpective times of tranſmitting the ſeveral impreſt Rolls to the Queen's Remembrancer, without which it is impoſſible to know whether the Auditor of the Receipt has done his duty, according to the late Act of Parliament.

On

On the 18th the Lords, not a little provoked by the reaſons of the Commons, came to the following Reſolutions. Firſt, That the Lords have an undoubted Right (which they can never ſuffer to be conteſted) to take cognizance originally of all publick Accounts, and to enquire into any miſapplication or default in the diſtribution of publick monies, or into any other miſmanagement whatſoever. Secondly, That the Lords in their enquiry into the examination of the obſervations of the Commiſſioners of Accounts in relation to *Charles* Lord *Halifax*, and in their reſolution thereupon, had proceeded according to the Rules of Juſtice, and the Evidence that was before them. And, Thirdly, That the Commons in their reaſons deliver'd at the laſt Conference, had us'd ſeveral expreſſions and arguments highly reflecting, and altogether unparliamentary, tending to deſtroy all good correſpondence between the two Houſes, and to the ſubverſion of the Conſtitution.

1 ANNÆ. 1702.

Reſolves of the Lords as to their right of examining the publick Accounts.

The Lords having examin'd into Sir *George Rooke*'s conduct in the Expedition to *Cadiz*, reſolved, That Sir *George Rooke* had done his duty, purſuant to the Councils of War, like a brave Officer, to the honour of the *Engliſh* Nation.

Reſolve Sir George Rooke *had done his duty.*

Daniel de Foe was about this time cenſur'd for a Libel he publiſh'd, entitled, *The ſhorteſt way with the Diſſenters*, and the Commons order'd the Book to be burnt by the hands of the common Hangman, and the Author to be proſecuted at Law. What *Daniel*'s real deſign was is not eaſy to determine, but the drift of that performance ſeems to be to inſinuate, that the Commons were about to re-eſtabliſh ſanguinary Laws in matters of Religion.

De Foe *proſecuted for writing* The ſhorteſt way with the Diſſenters.

On the 27th of *February* the Queen came to the Houſe of Lords to put an end to the Seſſions,

ANNÆ, 1702. and the Commons being ſent for up, ſhe made the following Speech.

My Lords and Gentlemen,

Queen's ſpeech at the riſing of the Parliament.

I Return you my thanks for the great diſpatch you have given to the publick affairs in this Seſſion, which is an advantage extremely material at all times, and I hope we ſhall find the fruit of it this year in the forwardneſs of our preparations. I am to thank you, Gentlemen of the Houſe of Commons, in particular, for the great ſupplies with which you enable me to carry on the war. It ſhall be my care to have them ſtrictly applied to the uſes for which you have deſign'd them, and to the beſt advantage for the publick ſervice. You have repoſed great confidence in me by allowing ſo unuſual a Latitude as you have done in the Clauſe of appropriation. I ſhall improve all opportunities in the uſe of it for the honour and true intereſt of the Nation.

I muſt further take notice to you, that the readineſs you have ſhewn in the proviſion made for the Prince is a very ſenſible obligation to me.

My Lords and Gentlemen,

I deſire and expect from you, that you make it your buſineſs in your ſeveral Countries to continue and preſerve the quiet and ſatisfaction of all my ſubjects. I hope, that ſuch of them as have the misfortune to diſſent from the Church of *England*, will reſt ſecure and ſatisfied in the Act of Toleration, which I am firmly reſolved to maintain. And that all thoſe who have the happineſs and advantage to be of our Church, will conſider, that I have had my education in it, and that I have been willing to run great hazards for its preſervation; and therefore they may

may be very ſure I ſhall always make it my own particular care to encourage and maintain this Church as by Law eſtabliſhed, and every the leaſt member of it, in all their juſt Rights and Privileges, and upon all occaſions of promotions to any Eccleſiaſtical Dignity. I ſhall have a very juſt regard to ſuch as are eminent and remarkable for their piety, learning, and conſtant zeal for the Church; that by this, and all other methods which ſhall be thought proper, I may tranſmit it ſecurely ſettled to poſterity. 1 ANNÆ, 1702.

I think it might have been for the publick ſervice to have had ſome further Laws for reſtraining the great Licenſe which is aſſumed of publiſhing and ſpreading ſcandalous Pamphlets and Libels; but as far as the preſent Laws will extend, I hope you will all do your duty in your reſpective ſtations to prevent and puniſh ſuch pernicious practices.

Above all other things, I do recommend to you peace and union among your ſelves, as the moſt effectual means that can be deviſed to diſcourage and defeat the deſigns of our enemies.

I muſt not conclude without acquainting you I have given directions that my part of all the Prizes which have been or ſhall be taken during this war, be applied intirely to the publick ſervice; and I hope my own Revenue will not fall ſo ſhort, but that I may be able, as I deſire, to contribute yet further to the eaſe of my people.

Promotion of General Officers.

The latter end of this month the Majors General *William Stewart*, and *Thomas Erle*, Eſqrs; the Lords *Portmore*, *Cutts*, *Lumley*, and *Tiviot*, and Major General *Ramſey*, were made Lieutenants General of her Majeſty's forces; and about

1 ANNÆ, 1702. the ſame time the General Officers appointed to enquire into the conduct of Sir *Henry Bellaſis* Lieutenant General, and Sir *Charles Hara* Major General, made their report, wherein they found Sir *Henry Bellaſis* to be guilty of plundering at Port St. *Mary*'s, but acquitted Sir *Charles Hara*; and her Majeſty diſmiſs'd Sir *Henry* from her ſervice, but ordered Sir *Charles*'s ſuſpenſion to be taken off.

Sir Henry Bellaſis *found guilty of plundering at Port St.* Mary's. *Sir* Charles Hara *acquitted.*

Differences between the Houſes of Convocation.

The differences between the upper and lower Houſe of Convocation, concerning the Archbiſhop's power of adjourning the lower Houſe, were this year reviv'd, and the following papers paſſed between them, *viz.*

The humble Application of the lower Houſe of Convocation to his Grace the Lord Archbiſhop of Canterbury, *and their Lordſhips his Suffragans, in Convocation aſſembled.*

WHereas in the two late Convocations many differences have ariſen between the two Houſes concerning the manner of ſynodical proceedings, and principally concerning the right then humbly claim'd by the lower Houſe, of holding and continuing their Aſſemblies in the intervals of the ordinary prorogations and continuations of the Convocations made in this upper Houſe; which principal difference, as well as the leſſer and dependant, remain yet undecided, to the hindrances of the intention and buſineſs of ſuch Convocations, and to the great diſturbance of the order and peace of this provincial Church. And whereas we find that the courſe which after other endeavours was heretofore propos'd by the lower Houſe, of adjuſting the matters in diſpute by a verbal conference was not thought fit

fit to be condeſcended to by your Lordſhips, but became it ſelf the ſubject of a new queſtion. 1 Annæ, 1702.

We therefore, the Clergy of the lower Houſe of this preſent Convocation, out of our earneſt deſire to have all ſuch diſputes at laſt compos'd and ended, do make this our firſt and moſt humble requeſt, that your Lordſhips would again take the queſtions in diſpute into your wiſe and paternal conſideration, eſpecially that concerning the right of the lower Houſe before expreſs'd, and would be pleaſed to ſuggeſt to us ſome ſuch methods whereby that Controverſy, at leaſt on which as they conceive the being of the lower Houſe ſubſiſts, may come to a ſpeedy and final determination.

The Anſwer of the Archbiſhop and Biſhops to the humble Application of the lower Houſe of Convocation.

WE are deſirous as much as in us lies to put an end to all differences, and to preſerve a good underſtanding between us and you. As for the point of proroguing the whole Convocation by the Archbiſhop, with the conſent of the Suffragans, that is a right which we are in poſſeſſion of, and it has been deriv'd to us from our Predeceſſors; and in fact we find it was far from deſtroying the being of former Convocations, that in them buſineſs of the greateſt importance has been tranſacted and brought to a happy concluſion. In the exerciſe of this right, you may aſſure your ſelves, that by God's bleſſing all ſuch methods will be us'd by us, as after an impartial examination ſhall appear moſt conducing to unity, and the true ends of an *Engliſh* Convocation, and of this in particular.

To

ANNÆ, 1702. To this purpoſe we have appointed a Committee of ſeven Biſhops to conſider of ſuch methods to meet with ſome of your body not exceeding the number of fourteen on the 14th Inſt. being *Saturday*, in the Organ room at ten in the morning, to offer and receive what may contribute to theſe ends.

Propos'd at a Committee of Biſhops, and Clergy of the lower Houſe, an offer of the Committee of Biſhops.

1. The lower Houſe may meet in Committees to prepare buſineſs between the ſynodical prorogations. 2. That when buſineſs ſhall be before the Convocation, the Archbiſhop, with the conſent of his Suffragans, will ſo order the prorogations, that there ſhall be ſufficient and convenient time allow'd for conſidering and finiſhing it.

The Reply of the lower Houſe of Convocation to the two Papers they have lately receiv'd, in an Anſwer to their humble Application.

May it pleaſe your Grace and your Lordſhips,

YOur Lordſhips inclinations to peace mentioned in the firſt paper, we hope we have given you no juſt occaſion to think we ever diſtruſted, nor did we ever queſtion his Grace's power, eſpecially as he now claims it, with the conſent of his Suffragans, to prorogue the whole Convocation, that is, to appoint a farther day, on which the whole body ſhould attend: Nor could we imagine that ſuch a power was deſtructive of the being of Convocations.

But we humbly conceive that ſuch a power is no ways inconſiſtent with the right claimed by the lower Houſe in their humble Application, *viz.* the right of holding their Aſſemblies, and continu-

continuing to act as an Houſe, in the intervals of his Grace's ordinary prorogations; which right, in our humble opinion, is ſo indiſpenſably neceſſary to the being of the lower Houſe (for of our own Houſe only we ſpoke, and hoped to have been underſtood) and has been alſo of late ſo openly oppos'd, and with ſo much pretence of authority deny'd, that we think we cannot anſwer the truſt repos'd in us, unleſs we continue to inſiſt upon the claim of it, and uſe our utmoſt endeavours to bring this queſtion to a ſpeedy and final determination. A method of doing this, is what your Lordſhips in your laſt paper ſeem wholly to decline, tho' it be the thing chiefly and plainly aim'd at in our humble Application; and therefore we cannot but again make our humble requeſt, that your Lordſhips would be pleaſed to offer ſomething more effectual to the purpoſe we intended. 1 ANNÆ, 1702.

The Anſwer of the Archbiſhop and Biſhops, to the Paper brought up by the Prolocutor from the lower Houſe, upon November *the* 28th 1702.

WE wiſh that the propoſals we ſent you for the due ordering of the proceedings of both Houſes of Convocation had ſatisfy'd you as they did us, becauſe we thought that in them we had offer'd you what was ſufficient towards their ending of the differences that have been between us. We cannot depart from the Archbiſhop's right of proroguing the whole Convocation of the upper and lower Houſe, with conſent of his Suffragans, according to the conſtant uſage, as it appears in our Act Books. This right you allow in general terms, while you own, that the Archbiſhop's prorogation is the appointing a farther

1 ANNÆ, 1702. farther day, on which the whole body ſhall meet: But you ſhould do well to take notice, that by the ſame Act by which the Convocation is prorogu'd, the whole buſineſs of the Convocation is likewiſe continued in the ſtate it is then in, to that farther day of this next Seſſion; and the right you claim of continuing to act as an Houſe between the days of the Archbiſhop's prorogations, as indiſpenſably neceſſary for the being of the lower Houſe, does, as we conceive, by immediate conſequence, overthrow what you had juſt before allow'd the Archbiſhop; whoſe Act cannot be ſaid to prorogue the whole Convocation, if a part of it doth notwithſtanding remain in condition of acting as a diſtinct Houſe of Convocation. Nor can we ſee how it ſhould be neceſſary to the being of the lower Houſe, to continue to act as an Houſe between the days of the Biſhop's prorogations, ſince all the buſineſs of the lower Houſe in former Convocations, and particularly the part that they had in reviſing of the Book of Common Prayer in 1661, was manag'd by them without any intermediate actings as an Houſe.

The Premiſſes being well weigh'd, we do not find how we can admit of your new claim, ſince it would be plainly to recede from a right that we have always enjoy'd. We muſt therefore leave the Propoſals we ſent you to your farther conſideration; not doubting the proviſion therein made for the exerciſe of the rights of both Houſes, will be very ſufficient for the doing of any buſineſs that is to be done in Convocation.

To

1 ANNÆ, 1702.

To the moſt reverend the Archbiſhop, and the right reverend the Biſhops in Convocation aſſembled. The humble requeſt and propoſal of the lower Houſe of Convocation.

YOur Grace and your Lordſhips in your late paper having again wav'd the making ſuch a propoſal to us, as by our dutiful and repeated applications we hop'd to have obtain'd: And chuſing rather to enter into argumentation, with which the world and we are already ſufficiently tired; and which method is, in our humble opinion, endleſs, we believing alſo that your Lordſhips will not think it reaſonable, as indeed we cannot, that either Houſe ſhould be judge over the other in its own cauſe, do therefore now at laſt crave leave, in all humility, to make this our following propoſal, That your Grace and your Lordſhips will be pleaſed to permit us of the lower Houſe, to join with your Lordſhips in an humble Addreſs to the Queen, praying, that her Majeſty, out of her tender regard to the peace and good order of the Church, would vouchſafe to take this Controverſy into her Princely conſideration, and appoint ſuch perſons as ſhe in her high wiſdom ſhall chuſe to hear and finally determine it.

The Anſwer of the Preſident of the Convocation, and his Suffragans, to the Propoſals of the lower Houſe, brought up the 2d *of* December 1702.

WE ſent down in our Propoſals to you the beſt means we could think of to put an end to the argumentation wherewith you now ſay you are tir'd. We are ſtill of opinion, that if you agree to thoſe Propoſals, they will be found

1 ANNÆ, 1702. found to answer sufficiently all the ends of business in the Convocation; and we cannot go beyond them without manifest injury to our Constitution as an Episcopal Church.

We expected after these Concessions, wherein we departed so much from what in strictness might have been insisted on, to have found some advances towards an accommodation made on your part: But instead of that, in the paper you last brought up to us, you seem to affect to express your selves in a manner that sets the two Houses upon such an equality, as we judge inconsistent with the Episcopal Authority, and the Presidency of the Archbishop, over the whole Convocation, and to lead to such an independency of *Presbyters* upon their Bishops, as the Clergy of the lower House in former times never pretended to.

We are abundantly assur'd of her Majesty's most tender regard to the peace and good order of the Church; and are very thankful to God and her Majesty for it: But we cannot think it proper to trouble her Majesty with this Controversy, since we believe it unnecessary after the overture we have already made, and which we cannot exceed; it being not in our power to part with any of those rights with which we were intrusted by the constitution of our Church, and the Laws and Customs of the Realm.

Acts passed *Anno* 1mo *Annæ Reg.* Parl' 1. Sess. 1.

Cap. 1. An Act for granting to her Majesty a Land tax, for carrying on the war against *France* and *Spain*.

By this Act 4*s*. in the pound was granted for one year from *Lady-day* 1703.

Cap. 2. An Act for enabling her Majesty to settle a revenue

venue for ſupporting the Dignity of his Royal Highneſs Prince *George*, Hereditary Prince of *Denmark*, in caſe he ſhould ſurvive her Majeſty. 1 Ann. 1702.

By this Act Queen *Anne* was impower'd to ſettle a revenue of 100000 *l. per Ann.* out of the revenue of the Exciſe, and the Poſt Office, and the Palaces of *Kenſington* and *Weſtminſter*, with the Lands thereto belonging, on the Prince for life, in caſe he ſhould ſurvive her.

An Act for granting a ſupply to her Majeſty by ſeveral Duties impos'd upon Malt, Mum, Cyder, and Perry. Cap. 3.

An Act for continuing the Duties upon Coals, Culm, and Cynders. Cap. 4.

An Act for granting an aid to her Majeſty, by ſale of ſeveral Annuities at the *Exchequer*, for carrying on the war againſt *France* and *Spain*. Cap. 5.

An Act for the better preventing eſcapes out of the *Queen's-Bench* and *Fleet-Priſon*. Cap. 6.

An Act for explaining and making effectual a late Statute concerning the *Havens* and *Piers* of the Borough of great *Yarmouth*; and for confirming the rights and privileges of the ſaid Borough. Cap. 7.

An Act for explanation of a Clauſe in one Act made in the ſeventh year of his late Majeſty's Reign, relating to Borelaps, and take off the additional ſubſidy upon *Iriſh* Linen. Cap. 8.

An Act for puniſhing Acceſſories to Felonies, and Receivers of ſtollen Goods, and to prevent the wilful burning and deſtroying of Ships. Cap. 9.

An Act for the better repairing and amending the Highways from the North end of *Thornwood* Common, to *Woodford*, in the County of *Eſſex*. Cap. 10.

An Act for the making the river *Cham*, *alias Grant*, in the County of *Cambridge*, more navigable, Cap. 11.

1 ANNÆ, 1702. gable, from *Clayhithe-Ferry* to the *Queen's-Mill*, in the Univerſity and Town of *Cambridge*.

Cap. 12. An Act for the finiſhing and adorning the Cathedral Church of St. *Paul's*, *London*.

Cap. 13. An Act for continuing former Acts for exporting Leather, and for eaſe of the Jurors, and for reviving and making more effectual an Act relating to Vagrants.

Cap. 14. An Act for encouraging the conſumption of malted Corn, and for the better preventing the running of *French* and foreign Brandy.

Cap. 15. An Act for granting to her Majeſty ſeveral Duties for carrying on the war againſt *France* and *Spain*.

Cap. 16. An Act for puniſhing Officers and ſoldiers who ſhall mutiny or deſert her Majeſty's ſervice in *England* or *Ireland*, and for puniſhing falſe muſters, and for better payment of quarters in *England*.

Cap. 17. An Act for enlarging the time for taking the oath of Abjuration, and alſo for recapacitating and indemnifying ſuch perſons as have not taken the ſame by the time limited, and ſhall take the ſame by a time to be appointed, and for the farther ſecurity of her Majeſty's Perſon, and the Succeſſion of the Crown in the Proteſtant Line, and for extinguiſhing the hopes of the pretended Prince of *Wales*, and all other Pretenders, and their open and ſecret abettors.

Cap. 18. An Act for the more effectual preventing the abuſes and frauds of perſons employ'd in the working up the Woollen, Linen, Fuſtian, Cotton, and Iron Manufactures of this Kingdom.

Cap. 19. An Act for taking, examining, and ſtating the publick Accounts of the Kingdom.

Cap. 20. An Act for reviving and continuing the late Acts for appointing Commiſſioners to take, examine,

amine, and determine the debts due to the army, and for Transport ſervice: And alſo an account of the Prizes taken during the late war. 1 ANNÆ, 1702.

An Act for advancing the ſale of the forfeited eſtates in *Ireland*, and for veſting ſuch as remain unſold by the preſent Truſtees, in her Majeſty, her Heirs and Succeſſors, for ſuch uſes as the ſame were before veſted in the ſaid Truſtees; and for the more effectual ſelling and ſetting the ſaid eſtates to *Proteſtants*, and for explaining ſeveral Acts relating to the Lord *Bophin*, and Sir *Edmund Everard*. Cap. 21.

An Act for preventing frauds in her Majeſty's Duties upon ſtampt Vellum, Parchment, and Paper. Cap. 22.

An Act for raiſing the Militia of this Kingdom for the year 1703, notwithſtanding the month's pay formerly advanc'd be not repaid. Cap. 23.

An Act to oblige *Edward Whitaker* to account for ſuch ſums of publick money as hath been receiv'd by him. Cap. 24.

The ſecond year of the Queen begun with ſeveral new creations and promotions. On the 9th of *March* the Marquis of *Normanby* was created Duke of *Normanby*, and ſome time after Duke of *Buckingham*. *John Granville*, Eſq; was made Baron *Granville* of *Potheridge*, in the County of *Devon*, *Henneage Finch*, Eſq; Baron of *Guernſey*, in the County of *Southampton*. Sir *John Leviſon Gower*, Baron *Gower* of *Sittenham*, in the County of *York*, *Francis Seymour Conway*, Eſq; Baron *Conway* of *Ragley*, in the County of *Warwick*, and *John Harvey*, Eſq; Baron *Harvey* of *Ickworth*, in the County of *Suffolk*. The Marquis of *Carmarthen* was made Vice-Admiral of the Red Squadron of her Majeſty's Fleet, 2 ANNÆ, 1703. *Promotions at Court, and in the Navy.*

2 ANNÆ, 1703. *John Graydon*, Esq; Vice-Admiral of the White, and *John Leake*, Esq; Vice-Admiral of the Blue, *George Bing*, Esq; Rear-Admiral of the Red, *Thomas Dilks*, Esq; Rear-Admiral of the White, and *Basil Beaumont*, Esq; Rear-Admiral of the Blue. There was also the same month install'd Knights Companions of the most noble Order of the Garter, his most serene Highness the Elector of *Hanover* by his Proxy, the Lord *Mohun*, the Duke of *Bedford* in Person, and the Duke of *Marlborough* by his Proxy. Sir *Benjamin Bathurst*, and his Grace the Archbishop of *York*, the Earl of *Thanet*, and the Lord *Guernsey* were sworn of the Privy Council. *Jervas Pierrepoint*, Esq; was created Baron *Pierrepoint* of *Arglas*, in the Kingdom of *Ireland*, and the Earl of *Rutland* was made Marquis of *Granby*, and Duke of *Rutland*. Sir *John Verney*, Bart. was created Baron *Verney* of *Belturbet*, and Viscount *Farmanagh*, in the Kingdom of *Ireland*, and the Duke of *Schombergh* was appointed General of the *English* and *Dutch* Auxiliaries which were to be sent to the assistance of the King of *Portugal*, who this spring came into the Grand Alliance; and some little time after his Grace was elected Knight of the most noble Order of the Garter. The *French Hugonots* in the *Cevennois* about this time grew very formidable, having defeated several Detachments of the *French* King's troops that were sent against them; whereupon it was debated in the Privy Council in *England*, whether they should assist and countenance that Rebellion. It was held by some to be a very wicked and scandalous practice to assist Rebels against their lawful Sovereign; but it was urg'd on t'other side, that this had been constantly practic'd where Nations were engag'd in war. That the *French* King's grandeur was chiefly owing to this prac-

Knights of the Garter, the Elector of Hanover *and Duke of* Marlborough, *&c.*

Privy Counsellors.

Duke Schombergh *General of the* Portugueze *Auxiliaries.*

Cevennois Insurrection.

tice, and that at this very time he had caus'd an Insurrection in the Empire, and was fomenting others in *England* and *Scotland*; and that it was but just in this case by way of retaliation. And accordingly it was determin'd to send arms, ammunition and money to the *Cevennois* by the Fleet that was going to the *Mediterranean*, under the command of Sir *Cloudsley Shovel*. 2 ANNÆ 1703.

The Pope, it seems, was very apprehensive of the growing power of these *Hereticks*, and sent the following Letter to the Bishop of *Nismes* upon this occasion.

CLEMENT XII. *The Servant of the Servants of the Lord*, &c. *to our beloved Son in* Christ, Ambrose *Bishop of* Nismes, *Health and our divine benediction.*

IT cannot be expreſt in words with what an extraordinary disturbance and grief of mind we receiv'd the news which was brought us by the most honourable the *French* Ambassador, That the *Cevennois Hereticks*, those accursed relicks of the ancient *Albigenses*, were raising new commotions against the Church, and against their Sovereign Prince. Therefore to obviate the rage of such a furious pestilence, which we were in hopes had been extinguish'd by the piety of *Lewis* the Great, we have thought fit to follow the laudable examples of our Predecessors in the like cases. Wherefore, that we may stir up and encourage the faithful to exterminate this ungracious crew of forlorn wretches, that in all ages have been hateful to *God* and *Cæsar*, we freely grant and indulge the full remission of all sins whatever they may be, relying upon that power of binding and loosening which our Lord conferr'd upon his chief Apostle, to all those who *The Pope's Letter to the Bishop of* Nismes.

2 ANNÆ, 1703. shall liſt themſelves in this ſacred Militia, if they ſhall happen to fall in battel. Therefore we command you to fix this Bull, ſeal'd with the Seal of the Fiſherman, upon the doors of all the Churches that belong to your Dioceſs, to the end, the impiety of thoſe frantick people may be ſtop'd from creeping any farther.

Given at *Rome* in the Kalends of *May*, in the year of our Lord 1703, and the 4th of our Pontificate.

AMBROSE, *by divine permiſſion, Biſhop of* Niſmes, *to all and ſingular the Curates within the extent of his Dioceſs, to whom this enſuing Letter ſhall come, Greeting,*

A Letter from the Biſhop of Niſmes *to his Clergy.*

WHereas the inhabitants of the *Cevennois* making their moſt impious Rebellion the plauſible pretence for promoting the purity of God's worſhip; which, as St. *Auſtin* long ago obſerv'd, was the conſtant practice of *Hereticks*, and poſſeſs'd with a diabolical ſpirit, as we have reaſon to believe, have taken villainous arms againſt the moſt ſerene Majeſty of *Lewis* the Great; have laid in Aſhes Churches, Chapels, and religious Houſes; have invaded the Farms and Revenues of the Clergy with fire and ſword; and which we tremble to repeat, have not only by manifold injuries and barbarous uſage afflicted and vexed the venerable Prieſts of the Church, but alſo moſt nefariouſly cut their throats before the Altars themſelves: We *Ambroſe*, by divine permiſſion, Biſhop of *Niſmes*, that we may not be wanting in our obedience to the commands, as far as lies within our power, of our moſt bleſſed *Pontiff*, and moſt pious Prince *Lewis* XIV. moſt ſtrictly and firmly by theſe our Letters enjoin and command

 both

both you and every one of you, that you make it your buſineſs to preſerve the flock by us committed to your care, from this contagion ſo pernicious not only to their ſouls, but alſo to their bodies. Moreover we exhort you all by the bowels of our Lord, to preach frequently to the people, and in your Sermons earneſtly to exhort the faithful not to afford any ſuccour or aſſiſtance to the aforeſaid Rebels, or relieve them with entertainment or proviſions, but that they endeavour their extirpation by fire and ſword; which if they ſhall ſtrenuouſly do as becomes valiant ſoldiers for the Church and the King, they ſhall obtain full remiſſion of all their ſins, as by the Bull enclos'd more at large may appear, with all the plentiful fruits of ſuch indulgence. Wherefore we make no queſtion but that you will all of you undertake this Province chearfully and unanimouſly, more eſpecially ſince *Lewis* the Great, by the wholeſome advice of the holy *Pontiff*, and the Biſhops of his Kingdom, has decreed not to leave ſo much as one *Heretick* alive within his Dominions. By which means the Majeſty of Almighty God, the honour of the *Catholick* Church, and the Prince's Royal Dignity ſhall be preſerv'd inviolable to Poſterity. 2 ANNÆ. 1703.

Given at *Niſmes* the 7th of the Ides of *May* 1703.

The Epiſcopal Clergy of *Scotland* being ſenſible of the Queen's affection to their Eſtabliſhment, implor'd her Majeſty's commiſeration of their circumſtances in the following Addreſs; which they ſent up by Doctor *Skeen* and Doctor *Scot*, who were introduc'd by the Duke of *Queenſbury*, and the Viſcount *Turbat*, *viz.* *Affairs of* Scotland.

2 ANNÆ. 1703.

The Addreſs of the Epiſcopal Clergy of Scotland *to the Queen.*

DREAD SOVEREIGN,

WE your Majeſty's moſt dutiful and obedient ſubjects, and moſt humble ſuppliants, being deeply ſenſible that the divine goodneſs hath rais'd your Majeſty to the Throne of your Royal Anceſtors, as a nurſing Mother to the true Church of God, for the ſupport and preſervation of the Religion, Laws, and Liberties of all your Dominions: And now eſpecially it is a remarkable bleſſing to this your Majeſty's antient Kingdom of *Scotland* (in the preſent deplorable circumſtances of this national Church) do preſume to offer our moſt humble and moſt ſincere congratulations upon your Majeſty's acceſſion to the Crown.

And beg liberty to lay before your Majeſty the ſad condition of the afflicted Epiſcopal Clergy, who in the year 1688 and 1689, and ſome years after, (the truly ancient and Apoſtolical Government of the Church by Biſhops,) were depriv'd of, and put from the exerciſe of their ſacred Offices, and poſſeſſions of their livings, and thereby reduc'd to great extremity and want.

During the continuance of which ſuffering ſtate, many worthy Miniſters of the Goſpel have been taken away by death, and we whom it hath pleaſed God to continue in life, have labour'd to ſweeten the bitterneſs of our tryals by a chriſtian and peaceable ſubmiſſion and reſignation to his will.

And as in truth and gratitude we are oblig'd to acknowledge, that many of us, in a great meaſure, owe our lives to the charity and beneficence of ſuch of your Majeſty's good ſubjects, as thought it a diſgrace to Chriſtianity that a ſociety of men conſecrated to the Altar in the ſervice of *Chriſt*, ſhould periſh in a Chriſtian Kingdom for want of bread:

So

So now that it hath pleased Almighty God to place your Majesty upon the Imperial Throne of these Dominions, the relief and advantage which all your loyal subjects do enjoy from the benign influence of your Majesty's auspicious Government, encourageth us your Majesty's most humble Supplicants, under the present distress and miserable starving conditions of many of our numerous families, to implore that Princely commiseration and matchless clemency which have ever been congenial and peculiar to the Blood Royal, and are eminently lodg'd in your sacred Person. Anno 2. 1703.

Humbly beseeching that your Royal bounty and indulgence may be extended to us in such manner, and by such methods as your Majesty in your Princely wisdom shall think fit, that we may find our selves more and more oblig'd devoutly to pray, that your years may be many, and your Reign glorious.

Her Majesty's Answer was,

I Take the expressions of your duty and loyalty very kindly, and you may be assur'd of my protection, and of my endeavours to supply your necessities as far as conveniently I can. And I doubt not but you will continue in your duty. And I recommend to you to live in peace and christian love with the Clergy who are invested with the Church Government in that our antient Kingdom.

A new Parliament call'd in Scotland.

The Convention of Estates that met in *Scotland* at the Revolution had been continued as a legal Parliament all the Reign of King *William*, the Presbyterians not daring to hazard the establishment of their Kirk by a new election. The

2 ANNÆ, 1703. continuance of this Convention was complain'd of as a great grievance, being without precedent in that Nation, and an invaſion on their old Conſtitution, by which a Parliament was annually to be choſen: Her Majeſty was pleas'd therefore this year to gratify her people of *Scotland* by calling a new Parliament, which met on the 6th of *May*, when her Majeſty's Letter was preſented to them by the Duke of *Queenſbury*, the Lord High Commiſſioner; wherein ſhe tells them, She had on ſeveral occaſions given them aſſurance of her firm reſolution to maintain and protect them in their Religion, Rights and Liberties as eſtabliſh'd by Law, and ſhou'd be always ready to do every thing elſe that was wanting for the ſatisfaction and ſecurity of that her ancient Kingdom: She recommended to them the ſtate of the forces and garriſons, and the giving ſuch ſupplies as were neceſſary for the carrying on the war, and for the ſafety of their Country: She recommended to them alſo the encouragement of their Trade, the promoting Religion and Virtue, the ſuppreſſing Vice and Immorality, and providing for the Poor. She ſaid ſhe had appointed the Duke of *Queenſbury* her High Commiſſioner, being ſatisfied his great experience and abilities wou'd render him acceptable to them. She ſaid, ſhe recommended nothing to them at this their firſt meeting but what was for their ſecurity and welfare, and confidently expected a ſuitable return, and a chearful concurrence in what ſhe propos'd, and that all animoſities being laid aſide, they wou'd with concord and diligence bring matters to ſuch a happy concluſion as ſhou'd eſtabliſh a laſting union between her and her people.

The Queen's Letter to them.

After the Queen's Letter was read, the High Commiſſioner, and the Earl of *Seaforth* the

Lord

Lord Chancellor, each of them made a ſpeech of the ſame purport with the Letter. Then his Grace the Duke of *Hamilton* offer'd the draught of an Act *for recognizing and aſſerting her Majeſty's authority, and her undoubted Right and Title to the Imperial Crown of that Kingdom*; to which the Queen's Advocate propos'd the inſerting a Clauſe, *making it Treaſon to quarrel her Majeſty's Right and Title to the Crown, or the exerciſe of the Government from her actual entry on the ſame.* This Clauſe Duke *Hamilton*, and thoſe that adher'd to him, oppos'd, alledging, that the Miniſtry only propos'd it as being conſcious they had contrary to Law been inſtrumental in adviſing her Majeſty to exerciſe ſome Acts of adminiſtration, ſuch as the calling together the late Parliament, which had continued during all the late Reign, and promoting in it ſome Commiſſions, Laws, and Powers, which were plainly beyond the limitations which determin'd the being of that Parliament, and circumſcrib'd its power. But it was carry'd notwithſtanding, to *add the Advocate's Clauſe*; and the Bill having been read twice, it had the Royal Aſſent. 2 ANNÆ. 1703.

There was in this Parliament propos'd, *An Act for the Toleration of all Proteſtants in the exerciſe of religious worſhip.* Whereupon a repreſentation was offer'd againſt it in the name and at the appointment of the General Aſſembly of the Kirk: Wherein they inſiſt, that there cou'd be no juſt ground to grant a Toleration to thoſe of the Epiſcopal perſuaſion, ſince there was no ſinful condition of Communion requir'd of them, and difference in opinion about Church Government was not a ſufficient reaſon for ſeparation in worſhip. And that to grant a Toleration to that party in the preſent circumſtances of that Church and Nation, wou'd ſhake the foundati- *An Act of Toleration ejected there.*

2 ANNÆ, 1703. ons of their happy Conſtitution. And they do therefore moſt humbly beſeech, *yea, they are bold in the Lord, and in the name of the Church of God, earneſtly to obteſt his Grace, and the moſt honourable Eſtates, that no ſuch motion of any legal Toleration to thoſe of the prelatical principles might be entertain'd by the Parliament.* Being perſuaded, that in the preſent caſe and circumſtances of that Church and Nation, to enact a Toleration for thoſe of that way (which they pray'd God in his infinite mercy to avert) wou'd be *to eſtabliſh iniquity by a Law*, and bring upon the promoters thereof, and upon their families, a dreadful Guilt, *&c.*

And for juſt the ſame, and many more reaſons, *South Britain* may be ſaid to have *eſtabliſh'd iniquity by a Law*, in the Toleration of Diſſenters among them at the Revolution. I ſhall not pretend to determine whether a Toleration of Diſſenters from the eſtabliſh'd Church be wicked or laudable; but thus much I may venture to affirm, that it is as laudable and innocent to tolerate Epiſcopacy in *Scotland*, as it is to tolerate Preſbytery in *England*, eſpecially if we conſider that the Legiſlative Authority of both Nations are now of the Epiſcopal Communion, occaſionally at leaſt.

But to return: The Kirk ſo manag'd matters that the Act of Toleration was drop'd; ſome time after an Act for a ſupply was propos'd, but before the Houſe wou'd go upon the ſupply, they inſiſted on paſſing an Act for their ſecurity; in which it was provided, in order to ſecure their ancient Independency, that in default of iſſue of her Majeſty, the ſame perſon ſhould in no event be capable to be King or Queen both of *England* and *Scotland*, unleſs a free communication of Trade, the freedom of Navigation, and the liberty of the Plantations, *&c.*

The Scots refuſe to come into the ſucceſſion.

was

was fully agreed to by the Parliament of *England*; and ſeveral proviſions and limitations were contain'd alſo in the ſaid Act, to the prejudice of the prerogative of the Crown. 2 ANNÆ, 1703.

The Earl of *Marchmont* in this Parliament afterwards propos'd the ſettling the Succeſſion in the Houſe of *Hanover*, but his motion was rejected. The Act of ſecurity having been twice read, and the High Commiſſioner neglecting to give it the Royal Aſſent, was frequently addreſs'd to that purpoſe; and at length he made a ſpeech, wherein he tells the Parliament, That he was fully empower'd to give the Royal Aſſent to all the Acts voted this Seſſion except the *Act of Security*, which they might eaſily believe requir'd her Majeſty's farther conſideration. At the ſame time her Majeſty expected they wou'd mind their own ſafety, in making the neceſſary proviſion for the troops, and that they would put the Trade and Cuſtoms upon that foot that the Civil Liſt might be ſupported: And he intreated them to finiſh theſe matters as ſoon as poſſible.

Upon this ſome members of the Houſe begun to queſtion whether the Crown had a negative or not. They ſaid, till of late, a negative had never been interpos'd, and that but in very few caſes; and, in the end, they peremptorily reſolv'd not to go upon the ſupply 'till the Act of ſecurity had paſs'd the Royal Aſſent. Whereupon the Lord Commiſſioner having given the Royal Aſſent to ſeveral other Acts on the 16th of *September*, the Parliament was adjourn'd to the 12th of *October* following.

Mr. Aſgil *expelled the Houſe of Commons of* Ireland.

The 21ſt of *September* the Parliament of *Ireland* met; In this Parliament a complaint was made againſt the famous Mr. *Aſgil*, that he was the Author of a book entitled, *An Argument proving that according to the Covenant of eternal life*

2 ANNÆ, 1703. *life reveal'd in the Scriptures, men may be tranſlated from hence into eternal life without paſſing thro' death, altho' the human nature of Chriſt himſelf could not be thus tranſlated till he paſs'd thro' death.* Upon the examination of ſeveral witneſſes, and the Houſe having heard what Mr. *Aſgil* cou'd ſay in his juſtification, it was reſolv'd, That it appear'd to the Houſe that *John Aſgil*, Eſq; member of this Houſe, is Author of the ſaid Book: And it was reſolv'd alſo, That *John Aſgil*, Eſq; a member of this Houſe, be expelled the Houſe, and be for ever hereafter incapable of being choſen, return'd, or ſitting as a member in any ſucceeding Parliament in this Kingdom.

The Commons of Ireland repreſent their grievances to the Queen.

The Commons in this Parliament tranſmitted a repreſentation to her Majeſty, ſetting forth the wretched circumſtances they were in. They ſaid her Majeſty's Royal Predeceſſors had always had the glory of governing a free people, but that the Conſtitution of the Kingdom of *Ireland* had been of late greatly ſhaken, and the Lives, Liberties, and Eſtates of the ſubjects call'd in queſtion, and try'd in a manner unknown to their Anceſtors. That the Charge they had been put to by the Truſtees for forfeited Eſtates in defending their juſt Rights (which after many and expenſive delays had been allow'd by the ſaid Truſtees) exceeded the value of the current Caſh of that Kingdom. That they cou'd not without the greateſt grief of heart, reflect on the loſs of their Trade, and of being deprived of the means of earning their livelihood, and maintaining their own manufactures, whereby their poor were become very numerous, eſpecially the poor induſtrious Proteſtants. That very many Proteſtant families had been forc'd to leave the Kingdom, and remove into foreign Countries.

tries. That their foreign Trade was under ſuch reſtrictions and diſcouragements, that it became in a manner unprofitable. That the want of frequent Parliaments had given encouragement to evil men, who minded nothing but their own gain, tho' it tended to the ruin and oppreſſion of her Majeſty's ſubjects. That the rapacious covetouſneſs of ſome civil Officers was inſupportable, who amaſs'd together vaſt Eſtates in a ſhort time in that poor Country. That others reſided for the moſt part out of the Kingdom, and neglected their duties, to the great detriment of her Majeſty's ſubjects, and failure of Juſtice: And that it was from her Majeſty's gracious interpoſition alone in their favour, that they hop'd for relief from theſe their manifold griefs and oppreſſions. That they did not doubt her Majeſty would take ſome prudent meaſures for their ſupport, either by reſtoring to them the full enjoyment of their Conſtitution, or by promoting a more firm and ſtrict union with her ſubjects of *England*, which wou'd prove to the advantage of that Kingdom; nothing being more certain, than that whatever riches *Ireland* ſhou'd acquire, muſt at laſt neceſſarily center in the ſeat of the Government. They pray'd that ſhe might long continue to be the choiceſt bleſſing of her people, and the aſſertor of the Liberties of *Europe*. And that they her poor ſubjects of *Ireland* might be an eminent inſtance of her Majeſty's having a juſt right to that moſt glorious Title; that they might join with the reſt of mankind in proclaiming her moſt excellent Majeſty not only the greateſt but the beſt and juſteſt Princeſs that ever reign'd. 1 Anne, 1703.

This Parliament voted ſeveral Penſions (to the value of 17634 *l.*) to be unneceſſary branches of the Eſtabliſhment, and particularly 1200 *l.* per

2 ANNÆ, 1703. *per Annum*, that was paid to the Presbyterian Ministers in *Ulster*.

The Grand Fleet sails to the Mediterranean.

In the beginning of *July* Sir *Cloudsley Shovel* sail'd for the *Streights*, having under his Command about 35 *English*, and 14 *Dutch* Men of War. The 24th the Fleet anchor'd before *Cascais*, and Sir *Cloudsley* sent Sir *Stafford Fairborne* to acquaint his *Portugueze* Majesty with his arrival, which very much rejoyc'd the *Portugueze*, who were apprehensive of being insulted by a *French* squadron. The 31st the Fleet sail'd from *Cascais*, and the 9th of *August* came to an anchor in *Tangier* Road, where having taken in some fresh provisions, they sail'd the 12th, and got through the *Streights* that night. The 31st the Fleet came in sight of *Altea*, in the Kingdom of *Valencia* in *Spain*, and having made a descent with 2500 marines, they sent a message to the Governor that they did not come as enemies but friends. The Governor answer'd, he had a great esteem for the *English*, but he was sorry he was not in a condition to oppose their landing.

Admiral *Shovel*, and the *Dutch* Admiral *Allemond* afterwards publish'd a manifesto, importing, That pursuant to the orders of her Majesty the Queen of *Great Britain*, and the *States General*, they were come to protect such of the good subjects of *Spain* as were willing to return to the obedience of their lawful Sovereign the Archduke *Charles*, and to deliver them from the oppression and tyranny of *France*; and the *Spaniards* finding no injury offer'd them brought in plenty of provisions, for which they receiv'd ready money, and some of them seem'd well dispos'd to the House of *Austria*, and drank healths to the Archduke. The Fleet having taken in water and fresh provisions, the marines were re-

imbark'd,

imbark'd, and ſail'd again the 3d of *September* for *Legborn*, where Count *Lamberg* the Imperial Ambaſſador at *Rome* came on board Sir *Cloudſley*, and acquainted him, that the Archduke was proclaim'd King of *Spain* at *Vienna* the 12th of *September*, by the name of *Charles* III. and thereupon 15 Guns were fir'd by every ſhip in the Fleet, and his Majeſty's health drunk. When the Admiral ſail'd from the Bay of *Altea*, the *Pembroke* and *Tartar* were ſent to the Gulph of *Narbonne* with the Arms and Ammunition that were deſign'd for the *Cevennois*: The 4th of *September* having taken a *French* Tartane, the maſter told them their deſign was diſcover'd; that he was at *Agde*, a Town not far from the Gulph of *Narbonne*, when the Mareſchal *Montrevil* came thither with ſeveral engineers to view the Coaſt; and that the Marſhal had order'd all that cou'd carry Arms to rendezvous at certain places upon the Coaſt upon the firing of the Guns from Fort *Breſcon*; and that all lower *Languedoc* was under a great conſternation, being afraid the *Engliſh* wou'd land there and relieve the *Cevennois*. On the 17th they ſail'd in ſight of *Narbonne*, and when they came over againſt *Agde*, Fort *Breſcon* fir'd 4 Guns, and immediately all the Country appear'd in Arms. The 18th the *Tartar* was order'd to ſtretch a head and advance as near the ſhoar as poſſible, and ſhe came into ten fathom water, and the *Pembroke* into thirteen, the land about two miles diſtance; and there they made the ſignals agreed on, but were not anſwer'd from the ſhoar. Whereupon the *Pembroke* and *Tartar* ſet ſail for *Legborn*, where they arriv'd the 23d, and join'd the Grand Fleet that came thither three or four days before.

2 Anne. 1703.

The deſign to relieve the Cevennois miſcarries.

This

2 ANNÆ, 1703. This deſign of aſſiſting the *Cevennois* had been unluckily diſcover'd by ſome of the *French* Refugees that had been diſpatch'd from *England* and *Holland* thither to acquaint them with her Majeſty's intentions of relieving them. But one of all that had been ſent got ſafe thither and return'd again, which was Monſieur *Flotard*, who ſtaid ſix days among the *Cevennois*, and acquainted them with the ſignals the Fleet wou'd make, and directed them what ſignals they ſhou'd make in return: He view'd a body of their Troops, conſiſting of 6000 men, and they acquainted him that they cou'd muſter a much greater force; but they were then employ'd in getting in their harveſt; they commiſſioned *Flotard* to ſolicit the Proteſtant Powers in their behalf, and bid him aſſure the Marquiſs of *Mirmont*, who ſent him, that they wou'd gladly receive him for their General. The other meſſengers who were ſent to the *Cevennois*, were taken and broke alive upon the Wheel, or ſent to the Gallies: And thus ended the project of relieving the *Cevennois*. The 22d of *October* Sir *Cloudſley Shovel* ſet ſail from *Leghorn*, and having ordered a ſquadron of Men of War to *Tunis*, *Tripoli*, and *Algier*, to renew the peace with thoſe places, he came again into *Altea* Bay on the Coaſt of *Valencia*, where ſeveral of the *Spaniards* declar'd for King *Charles*, and came and ſerv'd on board the Fleet; and the Fleet having taken in water ſet ſail for *England*, and arriv'd in the *Downs* the 17th of *November* following, not having had an opportunity of engaging the *French* Fleet, which kept cloſe in *Thoulon* while the Confederates were in the *Mediterranean*.

The diſtractions of the Empire. The Emperor's affairs in *Germany* were this year in ſtrange confuſion. The Imperial Generals invaded the Electorate of *Bavaria* and committed

mitted great ravages in that Country, but were frequently met with and defeated by the Elector's troops. On the other hand, the Elector made himself master of *Ratisbon*, where the Diet of the Empire were assembled; and tho' the *French* army had been several times repuls'd by Prince *Lewis* of *Baden* in their attacks of the lines of *Stolhoffen*, yet Marshal *Villars* at length penetrated thro' the Vale of *Kintzig*, and in the beginning of *May* join'd the Elector of *Bavaria*. Upon the news of this conjunction, the Diet of *Ratisbon* publish'd a Resolve, That the present war was not enter'd into upon account of Religion, but to check the growing power of *France*, and preserve the Liberties of the Empire and their Allies. And whoever should raise or spread any report as if this was a religious war, as the *French* and *Bavarians* had suggested, shou'd be punish'd as enemies to their Country.

2 ANNÆ, 1703.

The French *join the* Bavarians.

The Elector, to whom the Diet were in a manner prisoners, order'd his Minister to present them two Memorials, importing, That as his Country had been invaded by the Imperial Generals, and great part of it already ruin'd, he was resolv'd to make use of the assistance offer'd him by the *French* King, for repelling any future violences: However, he wou'd not break the promise he had made for the security of the Diet, but withdraw his troops as soon as the Emperor shou'd ratify the Treaty for the neutrality of that City, and therefore hop'd they wou'd not remove their residence: However, if they did, he should grant them a general pass, but he wou'd have it inserted, that his Minister shou'd upon no pretence whatsoever, be excluded from the meetings and debates of the Diet, and that nothing should be resolv'd or concluded in the matter of the ninth Electorate,

The Elector of Bavaria's *Manifesto.*

2 ANNÆ, 1703. without his knowledge and consent, and press'd the Diet for a speedy answer; but they came to a resolution, That it was a matter of such consequence, that they cou'd not come to any determination in it without new instructions from their Principals.

The Emperor having refus'd to consent to the neutrality of *Ratisbon*, requir'd the Princes and States of *Germany* to furnish their Quota's, to enable him to prevent the mischiefs which threatned the Empire. But when some of the Deputies propos'd the entring upon ways and means for every Circle to raise their shares of troops, artillery, and ammunition, to compose an army of 120000 men, as had been resolv'd at the beginning of the war, it was answer'd, That the consideration of these matters was too late for this Campaign, and too soon for the next. The Elector of *Bavaria* observing the supine negligence of the Diet, publish'd a Manifesto, charging the Emperor and his Allies with plundering and burning his Country, and insisting, that he took up arms in his own defence, without any design of joining *France* to attack the Empire, as had been suggested by his enemies; that he desir'd the peace of *Ryswick* might be kept; and the Ministers of *France* had represented to the Diet of *Ratisbon*, their Master's disposition to keep it inviolably; and the Circles declaring a like inclination, he had conformably declar'd on the side of *France*, and wish'd the Imperial Court, when they began the war in *Italy*, had had the consent of the Electoral College; that he had indeed possess'd himself of *Ulm* and *Memminghen*, and he thought it high time, for his own security, and the preservation of his Country, being in danger of being crush'd by a Monarchical Administration before unheard of in the Empire.

Another Manifesto of the Elector's.

It

It was agreed between the Elector of *Bavaria* and Marſhal *Villars*, that the Marſhal ſhould attend the motions of Prince *Lewis* of *Baden*, while the Elector invaded the County of *Tyrol*, in order to open a communication with the *French* in *Italy*. The Elector's motions were ſo very ſwift, and his ſucceſs ſuch, that it alarm'd the Court of *Vienna*; for in ſix days he made himſelf maſter of the whole Country, and took as many ſtrong places as might have ſtop'd a numerous army for as many months, had they been in ſuch a condition as they ought. And at length the Elector made his triumphant Entry into *Inſpruck*, the Capital of *Tyrol*; from which he demanded homage, and a monthly contribution of 120000 Florins: But the Elector marching afterwards to the mountain *Brenner*, in order to join the Duke of *Vendoſme* in *Italy*, (in which deſign he was diſappointed) the Peaſants in *Tyrol* took arms and retook ſeveral of the places he had taken, and cut the Garriſons in pieces he had left in them. And tho' the Elector afterwards reveng'd himſelf upon the Peaſants, yet underſtanding that ſome of the Imperial Generals were marching againſt him, and that his own Country had ſuffer'd very much in his abſence, he was oblig'd to abandon *Tyrol* again and return to *Munich*.

2 ANNÆ, 1703.

The Elector's ſucceſs in Tyrol.

He abandons Tyrol *again.*

The Duke of *Bavaria* having rejoin'd the Marſhal *Villars*, fell upon Count *Stirum*, who commanded a conſiderable body of the *Imperialiſts* and defeated him. In the mean time Count *Tallard* beſieg'd and took old *Briſac*, and on the 7th of *October* inveſted *Landau*.

The Confederates being ſenſible of what importance the preſervation of *Landau* was, after they had diſpos'd the reſt of the army into their winter quarters, order'd the Hereditary Prince of *Heſſe-Caſſel* to attempt the raiſing of

Battel of Spiers.

2 ANNÆ. 1703. the ſiege; to which purpoſe he ſet forward from the *Netherlands* with twelve Battalions, and twenty nine Squadrons, and having reach'd *Altzey*, in the *Palatinate*, with very long marches, was there attended by Count *Naſſau Weilburgh*, General of the *Palatine* forces, in order to concert proper meaſures for the relieving of *Landau*; to which purpoſe he promis'd to meet his Highneſs between *Frankendale* and *Manheim*. The *French* having notice of this march, ſent away Mr. *Pracontal* with a body of 10000 men, and orders to follow the Prince cloſe at the heels, or rather to get before him if he could. And indeed the *Frenchman* was ſo diligent that he join'd M. *Tallard* before the Confederates had any intelligence of it; an error that will hardly bear an excuſe, when Generals miſcarry, or are deceiv'd in their intelligence of the enemies motions. Upon the 13th Inſtant his Highneſs encamp'd at *Hoop Spier*, within three quarters of a league of *Spier*, and four leagues from *Landau*; where the reſt of the troops under the command of the Count of *Naſſau Weilburgh* join'd his Highneſs. Upon the 14th all things were prepar'd in a readineſs to attack the enemy in their lines upon the 16th enſuing. But upon the 15th, when his Highneſs expected to be join'd by a Battalion from *Mentz*, two of *Lunenburgh*, one of *Heſſe Darmſtadt*, and a Regiment of horſe, ſubjects of the ſame Prince, the Count of *Naſſau Weilburgh* came riding full ſpeed to the Prince's quarters, and told him the enemy was at hand marching directly to attack him, and deſir'd him to command the right wing to their arms; which did not a little ſurprize the Prince, becauſe the Count had all along aſſur'd him that Mr. *Tallard* was not in a condition to come out of his lines: However, he mounted immediately, and obſerving that the *Palatine* Quartermaſter-

General had rang'd the army in a very diſadvantageous place, where they lay expos'd in flank to the enemy, he diſpatch'd his Aid de Camp to the Count to deſire him to march more ſlowly, that he might join him with his right wing: But this meſſage ſignify'd nothing, for before the Adjutant return'd, Count *Naſſau Weilburgh* had engag'd the enemy, and at firſt had the advantage, having taken ſome of the enemies canon; but then the enemy renewing the charge, fell on with ſo much fury upon the foot expos'd in flank and front to the violence of the enemy, that they were forc'd to retire in great diſorder before the right wing commanded by the Prince of *Heſſe* could come up to their ſuccour. By this means, the left wing being in this confuſion, the enemy pour'd all their forces upon the right wing; which hitherto they had in vain attack'd with great loſs. But the defeat of the left having open'd a way for the enemy to attack the *Heſſian* foot in front and flank, they were forc'd to retreat after an obſtinate and bloody reſiſtance, which continued from one in the afternoon till night, inſomuch, that after they had taken from the enemy ſixteen Standards, four Guidons, and three pair of Kettle-Drums, without loſing one of their own, they made an orderly retreat to *Dandenhoven*; where they repaſs'd the *Spierback*, the victorious enemy not daring to purſue 'em. The Prince of *Heſſe* during the whole action, which was very deſperate, perform'd all that could be expected from a General and a common ſoldier, had three horſes kill'd under him, and ſlew a *French* Officer with his own hand. Among the ſlain on the Confederates ſide, are number'd the Prince of *Heſſe Homberg*, the Major-General *Hochkirchen* and *Ferteau*, together with four Collonels, two Lieutenant-Collonels, 2 ANNÆ 1703.

2 ANNÆ, 1703. six Captains, and several inferior Officers, and a Major-General, a Collonel, and some other Officers wounded. On the *French* side Mr. *Pracontal* and several of their best Officers are said to be slain, and the greatest part of the *Gens d' Arms* were cut to pieces, but the number of the common soldiers is not yet certainly known, some affirming the loss of the *French* to be equal, others greater than that of the Confederates. 'Tis also farther said, That during the heat of the action the Count *de Frize* made a vigorous sally from the Town, and falling upon the enemy in their trenches, utterly defeated four Battalions of the enemy. Others there are, who to extenuate the loss of the Confederates, assure us, that it proves not so great as was at first reported, and that the Prince of *Saxon Meningen*, the young Count of *Nassau Weilburgh*, and several other Officers who were thought to have been slain or taken prisoners, are come safe to *Manheim*. On the *French* side, the Letters from *Paris* acknowledge the loss of a great many brave Officers, as Monsieur *de Pracontal*, Lieutenant-General, kill'd in the first charge, M. *Sheldon*, an *Englishman*, Major-General, Monsieur *d' Auriac*, a Brigadier of horse, Monsieur *Calvo*, a Brigadier of foot, Messieurs *de Flennes*, *de Meuse*, *Boiseal*, *Gaetano*, the Prince *de Croy*, Monsieur *de Brulard*, Collonels. Messieurs *de Lavardin*, *de Hautarive*, *de S. Maur*, and two other Lieutenant-Collonels, and almost two thousand soldiers kill'd; twenty six Officers of the Regiment call'd the King's Regiment are reckon'd among the slain, as are also several Officers of the Regiment of *Navarre*, which had to deal with the Prince of *Hesse-Cassel*'s Foot-guards, which that Prince rally'd and led on thrice to the charge.

However it be, so soon as the action was over, the

the *French* return'd to the *Leaguer*, and the Confederates to *Manheim*, and the Count of *Frize* despairing of any farther relief, surrender'd the Fortreſs upon the ſame conditions that were granted to the Count of *Molac*. The Governor, and 2000 of the Garriſon were conducted to *Philipſburgh*, and the ſick and wounded were left behind till they recover'd their healths, and then the *French* put a numerous Garriſon into the place. 2 ANNÆ. 1703.

Count *Marſin* was about this time ſent to command the *French* army that acted in conjunction with the Elector of *Bavaria*, in the room of Marſhal *Villars*, whoſe imperious behaviour 'tis ſaid the Elector could not bear. The Elector having inveſted *Auſburgh* the 6th of *December*, that Town ſurrender'd the 14th. Ausburgh *taken by the Elector of* Bavaria.

To add to the diſtractions of the Empire, this winter the *Hungarians* broke out into open Rebellion; they were commanded by Prince *Ragotzi*, who publiſh'd a Manifeſto, importing, That provided they may enjoy their Religion, Liberties, and Eſtates, and the Government of *Hungary* might be put into the hand of a native, they wou'd return to their allegiance. The Emperor hereupon ſent Prince *Eugene* to *Preſburg*, to give the neceſſary orders for the ſecurity of the Frontiers, and to endeavour to bring thoſe Malecontents to ſome accommodation. *Rebellion of* Hungary.

Having given ſome account of the ſtate of the war in the Empire, let us return to the *Netherlands*. The Campaign was open'd on this ſide with the ſiege of *Bonn*, which was inveſted on the 24th of *April* N. S. and was ſurrender'd upon honourable terms the 14th of *May* following. *Campaign in the* Netherlands.

While the Duke of *Marlborough* lay before *Bonn*, the Marſhals *Villeroy* and *Boufflers* advanc'd

2 ANNÆ, 1703. to *Tongeren*, which they ſurpriz'd, and made the Garriſon, conſiſting of two Battalions, priſoners. *Bonn* being ſurrender'd, the Duke of *Marlborough* march'd towards the *French* army with a deſign to have given them battel, but upon his approach Marſhal *Villeroy* thought fit to retire within the lines, having firſt blown up the walls of *Tongeren*. Hereupon it was reſolv'd to attack the *French* lines, and General *Coehorn* and Baron *Spar* were commanded upon that ſervice, which they perform'd with ſucceſs, but not without conſiderable loſs at Baron *Spar*'s attack.

General Opdam cut off from his army.

The joy for this ſucceſs was not a little abated by the arrival of an Expreſs from General *Opdam*, giving an account, that the *French* came out of their lines near *Antwerp*, and being join'd by a conſiderable Detachment from their grand army, had ſurrounded the Confederate forces under his command, and entirely routed them, and that he had eſcap'd to *Breda* only with 30 horſe. But while the States were under ſome conſternation at this misfortune, another Expreſs arriv'd from Monſieur *Hop*, Treaſurer-General of the States, and their Deputy in that army, giving an account that the army was indeed ſurrounded by a ſuperior force, but had repuls'd the enemy, and made an honourable retreat to *Lillo*. The truth was, General *Opdam* had the misfortune to be cut off from the reſt of his army at the beginning of the engagement, and fled to *Antwerp*, looking upon the army as loſt. And tho' that General had ſerv'd his Country above thirty years without any imputation on his courage, and his being cut off from his army was purely an accident; yet cou'd he never afterwards recover any tolerable reputation in the army.

Of

Of this battel General *Slangenburgh* gave the following account to the States-General. 2 ANNÆ, 1703.

High and Mighty Lords,

Battel of Eckeren by Slangenberg.

AFter that by order of your Highneſſes the army commanded by General *Opdam* was leſſen'd to 13 Battalions and 26 Squadrons, and that it was found convenient that this ſmall army ſhould march from *Stabrook* toward *Eckeren*; Count *Tilly* and I repreſented the bad conſtitution of that Camp with ſo ſmall a number of men within three quarters of a league of the enemies lines; who, according to General *Coehorn*'s report, could draw together 50 Battalions from *Liers* to *Oſtend*. That beſides they could be reinforc'd from their great army, whereas we could expect no aſſiſtance in time, no not from General *Coehorn*. We alſo remonſtrated, that the enemy being ſuperior in number, might always cut off our retreat, and that we underſtood that the enemy was ſtronger in their lines than we were in our army, and that our great army had paſs'd the *Yecker*, and that the enemy advanc'd as far as *Tirlemont*, and beſides expected more troops in their lines. Nevertheleſs we could obtain nothing by our remonſtrance, but only a reſolve to ſend our heavy Baggage to *Bergen-op Zoom*; which was ſent off at the ſame time when M. *de Boufflers* arriv'd in the *French* lines with a conſiderable body of Horſe and Dragoons; and as priſoners ſay, with 70 Companies of Grenadiers, and without loſs of time ſent all their troops out of their lines with the Marquis of *Bedmar*, Prince *Serclaes*, M. *Villeroy*'s Son, and many other General Officers: And having march'd with incredible diligence, poſted an ambuſcade of their Dragoons before our left, and advanc'd with the main of their army to *Capelle*, behind our Camp, before

we

2 ANNÆ, 1703. we had the leaſt advice of their deſign or march. Nor had we been inform'd then before we had been incompaſſed, but that I and Count *Tilly*, and ſome of our Major-Generals making the tour of our Camp, met their ambuſcade of Dragoons about one a clock near our great guard of horſe. Having diſcover'd the ſaid ambuſcade, we judg'd the enemy deſign'd to attack us, and immediately put our troops under their arms, and acquainted General *Opdam* with what we had done. One of our Guards on the ſteeple of the Church of *Eckeren* acquainted us at the ſame time, that the enemies came on with a great body of men towards *Capelle*, and advanc'd continually: Upon this General *Opdam* reſolv'd to retire under *Lillo*, and order'd two Squadrons of Dragoons to poſſeſs themſelves of the Poſt of *Howen*, to cover the march of our army. Whilſt General *Opdam* was buſy ordering their march, we underſtood that the enemy was advanc'd to *Howen*, and had repuls'd thoſe two Squadrons of Dragoons, whereby the road to *Lillo* was ſtopp'd. Brigadier *Schulemberg* was detach'd at firſt to poſt himſelf within two leagues of *Sax-Gotha* at *Muiſbrock* and *Getting*, below *Howen*, to cover our retreat; but when he came there he found that Poſt well guarded by *French* Dragoons and Grenadiers. Whereupon he began to charge them, but they being much ſuperior in number, he judg'd a retreat neceſſary, and try'd to ſeize the Poſt of *Houteren*; but he found the enemy alſo poſſeſs'd of that. This oblig'd him to draw up at *Watering*, betwixt *Houteren* and *Muiſbrock*, and it was reſolv'd to attack the *French* there, and to make them retire if poſſible; but they were ſo advantageouſly poſted that it was impracticable. On the other hand, the enemy advanc'd upon us, made a vigorous charge on the

troops

troops of *Munſter*, and began a ſharp battel with the foot about three a clock. 2 ANNÆ, 1703.

Perceiving the enemy to be much ſuperior in number, we were oblig'd to change our deſign, and to endure a terrible fire of their Muſquets. General *Opdam* and Count *Tilly*, who were upon the road with the horſe, upon the Dike that goes to *Villemerdonk*, try'd to continue our march oppoſite to *Houteren*, along the Dikes of the *Scheld* to *Lillo*, and when they arriv'd, found the enemy poſſeſs'd of *Houteren*, but were afterwards chas'd from thence by our troops. Mean while the foot continu'd the fight betwixt *Howen* and *Eckeren*, with a terrible fire on both ſides till eight at night, eſpecially about and upon the Dike betwixt *Eckeren* and *Villemerdonk*; where Lieutenant-General *Fagel*, and Major-Generals *Friſem* and *Elberfield* gave ſuch proofs of their conduct and valour as cannot be enough admir'd; Lieutenant-General *Fagel* being wounded in the head and foot, we not being able to ſuſtain his Regiment, and the enemy perceiving we wanted foot, took the opportunity to force our troops at *Houteren* to retire, and poſted themſelves there, and at ſome Sluices betwixt that Village and Fort *la Croix*, and by that means we were encompaſs'd on all ſides, having the enemies lines and *Antwerp* on our rear, and Fort *Philippine* and the *Scheld* on our left; which oblig'd me to ſend to General *Opdam* and Count *Tilly* for their advice how to get out of that labyrinth. Word was brought me that General *Opdam* had not been ſeen for ſome time, and Count *Tilly* ſaid he believ'd him either to be kill'd or taken.

Upon this we reſolv'd to try all courſes with our utmoſt vigour, Count *Tilly* detach'd ſome Caval-

ry

ANNÆ, 1703. ry under General *Homps* to ſuſtain the foot; who maintain'd a bloody fight for a long time upon the Dike: The *French* alſo ſent horſe to ſuſtain their foot on this occaſion. General *Homps* led on his horſe with ſo much conduct and courage, that he broke ſeveral *French* Squadrons, took ſome of their Standards and Drums, routed ſeveral Battalions of their foot, and drove the enemy back a quarter of a league.

Brigadier *Wyke*, and the other Brigadiers and Collonels having ſpent all their powder and lead, order'd their men to fix their Bayonets to their Muſquets, and purſue the enemy; and the battel being ſharp and bloody, the Dike was cover'd with the ſlain and wounded.

I had then taken poſt on the Key of a Canal that join'd the Dike, where I plac'd two Battalions, and the Cavalry behind 'em, to maintain that poſt to the laſt extremity, if our troops happen'd to be broke, and for the ſecurity of the reſt of the Regiments that we expected in the night; but the enemy was ſo diſorder'd that they had no mind to renew the fight in that poſt: They endeavour'd during the heat of the charge abovementioned, to fall upon our rear, having for that end charg'd us with four Battalions from *Antwerp* and Fort *la Croix*, along the Village, and another Dike of *Villemerdonk*; but found that poſt well guarded, and their troops were forc'd to retire by the dreadful fire of our men: but night coming on, and finding our ſelves ſtill encompaſs'd on all ſides, we were forc'd to open a paſſage by dint of ſword. The *French* had ſeiz'd the Poſt of *Otteren*, and ſeveral others towards the Sluices, which cut off our communication with *Lillo*: Upon which Count *Tilly*, M. *Hop*, and I, reſolv'd to attack that poſt with our utmoſt

utmoſt vigour; and our infantry wanting pow- 2 ANNÆ, 1703.
der and lead, we order'd them to advance with their Bayonets fix'd to their Muſquets.

General M. *Frieſheim*, and Brigadier *Dona*, were detach'd with four Battalions, and marching thro' a ground full of ditches, waded up to their middle to attack the enemy in that Poſt on flank and rear. We march'd alſo ſome Regiments along the Dike, and Count *Tilly* advanc'd with ſome Dragoons, and after firing ſome canon on that Poſt, we attack'd the enemy in flank, front, and rear, chas'd them from *Otteren*, took their canon, and beat them from the Sluices where they were intrench'd. We purſu'd them fighting as far as Fort *la Croix*, which open'd our paſſage along the Dikes to *Lillo*; where we arriv'd this morning, and are now encamp'd.

I can aſſure your Highneſſes, that all your troops, Horſe, Foot, and Dragoons, fought with a ſurprizing valour, and that Lieutenant-General *Fagel*, and all other the Generals, Majors and Brigadiers, behav'd themſelves in this dangerous action with admirable conduct, being only ſorry we have loſt ſeveral brave men. There are ſome taken priſoners, and many wounded; of whom I cannot ſend a liſt 'till the next. We have taken ſome Standards, Drums, and Colours, and my Regiment has taken one piece of canon, and a colour. I hope your Highneſſes will conſider the ſmall number of our troops, that the enemy was twice as ſtrong as we, that their loſs is much greater than ours, and that almoſt all of 'em retir'd in confuſion, and left us the field of battel, whereas we came hither in good order. It was my opinion, Count *Tilly*'s, and that of all the Generals who were preſent, that we ought never to have expos'd our ſelves in ſuch a diſadvantageous Camp: And I hope it will be no ſmall ſa-

tisfaction

2 ANNÆ. 1703. tisfaction to your Highneſſes that this action will certainly advance the reputation of your forces.

I forgot to tell ye that the Count of *Eaſt-Frieſland*, and Count *Vandernot* diſtinguiſh'd themſelves on this occaſion, and that Collonel *Ivois* aſſiſted me with his valour and good advice; ſo that I doubt not but your Highneſſes will conſider his merit. General *Fagel* is embark'd to day to have his wounds better look'd after. General *Coehorn* came to *Lillo* in the night, with ſome Regiments after the battel; but ſent them back immediately under Major-General *Dedem*. All our Regiments, eſpecially the foot, are extreamly weaken'd, ſo that they cannot act in a body, except your Highneſſes change thoſe that ſuffer'd moſt with others that are in Garriſons. This Poſt is not ſafe except the Sluices of Fort *Frederick Henry* be open'd; which cannot be while we are here, becauſe the ſalt water wou'd occaſion diſeaſes. M. *d'Opdam* not being preſent, I have taken upon me the general command till I receive your Highneſſes order,

Lillo, June 2. 1703. SLANGENBERG.

French *account of the battel of* Eckeren.

The Confederates after they had forc'd ſome avenues of the lines of the Country of *Waes*, had laid a deſign to force the lines of *Antwerp*, and to attack our army, advancing to that end from *Stabrook* between *Eckeren* and *Capelle*, to the number of 16000 fighting men, under the Generals *Opdam* and *Tilly*.

The Marquiſs of *Bedmar* preſently gave notice of this to the Marſhals of *Villeroy* and *Boufflers*, who underſtanding at the ſame time that the grand army under the Duke of *Marlborough* was in motion toward *Antwerp*, caus'd

the army of the two Crowns to march toward *Dieſt*. 2 ANNÆ. 1703.

Marſhal *Boufflers* being at the head of 30 Squadrons, and 30 Companies of Grenadiers, march'd with ſo much ſpeed that he arriv'd the 30th in the morning in the Camp, where he concerted all things with the Marquiſs of *Bedmar* to attack the enemy in their Camp.

The Troops marched ſeveral ways toward the enemy, who never expected ſuch a viſit. They began the attack at four a clock in the afternoon, between *Eckeren* and *Capelle*. We charg'd them on every ſide with great fury; the Marquiſs of *Bedmar* with his army, and the Marſhal *de Boufflers* in flank. Never was ſeen ſo terrible a combat, and the victory waver'd more than once; but at length we repell'd 'em on every ſide, and after we had driven them from their Camp, and taken their Artillery, Ammunition, Baggage and Tents, we chas'd 'em upon their Dikes toward the *Scheld*, till eleven a clock at night.

The ſlaughter was horrible, night favour'd the retreat of the enemy, who eſcap'd in the Boats and Shallops which they had along the *Scheld*. The victors remain'd all night in the field of battel, from whence the Marquiſs of *Bedmar* return'd this morning to our Camp. If the ground had permitted our cavalry to act in the marſhes, moraſſes and narrow lanes, very few of the enemy had eſcaped.

This victory, and the march of the Count *de la Motte* with a body into the Country of *Waes*, have conſtrain'd General *Coehorn* to quit that Country with great precipitation.

Mr. *Opdam* is not the firſt that has been ruin'd by giving up a game before it was actually loſt: Hiſtory furniſhes us with various examples

2 ANNÆ, 1703. ples of this kind. *Caſſius* is a remarkable inſtance of it, who ſeeing victorious *Brutus* with a body of men coming to his aſſiſtance, miſtook him for an enemy, and in the heighth of deſpair giving all for loſt threw himſelf upon his ſword, when nothing in human probability but ſuch a precipitate action cou'd have wreſted the victory out of their hands, and prevented their being maſters of the world.

Huy *taken.* But to return: The Duke of *Marlbro'* finding it impoſſible to bring the *French* to a general engagement ſat down before *Huy*, which he made himſelf maſter of in about ten days time, the Garriſon capitulating to be exchang'd for the two Battalions which were ſurpriz'd at *Tongeren*.

Limburgh *taken.* The 10th of *September* following the Confederates inveſted *Limburgh*, and on the 28th of the ſame month the Garriſon ſurrender'd, and were made priſoners of war. And thus the Campaign ended in *Flanders*.

Gelder *ſurrender'd.* The Town of *Gelder* ſurrender'd the winter following, having been block'd up ſome months by a detachment of the *Pruſſian* Troops; by the ſurrender whereof the *Dutch* became maſters of all the *Spaniſh Gelderland*, as they were before of *Limburgh*, another of the *Spaniſh* Provinces; ſo that their Frontiers were now ſufficiently enlarg'd, and the enemy remov'd to a convenient diſtance. The caſe was alter'd ſince they repreſented to the Queen the dangerous condition of their State, and implor'd her protection in terms almoſt as ſubmiſſive as their forefathers had us'd to Queen *Elizabeth*; and no doubt they will always pay that deference to the memory of thoſe two Queens as becomes a people who have been ſo often reſcued from deſtruction by their arms. They will for the future ſure expreſs their gratitude in another manner to the *Engliſh* Nation, than

than by ruining their Factories in *Africa* and the *Indies*, and driving them out of their poſſeſſions in that part of the world, while they are protected by them here. 1 ANNÆ, 1703.

This winter the Duke of *Savoy* came into the Grand Alliance; of which the *French* King having ſome intimation, commanded the Duke of *Vendoſme* to ſeize and diſarm the Troops of *Savoy* that were in his army. The Duke of *Savoy*, by way of reprizal, commanded ſeveral *French* Officers that were in *Turin*, and the *French* Ambaſſador himſelf to be put under arreſt: Hereupon the Duke of *Vendoſme* was immediately commanded to invade the Frontiers of *Savoy*, and to tranſmit the following Letter to his Royal Highneſs, *viz.* *The Duke of Savoy comes into the Grand Alliance.*

SIR,

SInce neither Religion, Honour, Intereſt, Alliance, nor even your own hand-writing, are of any force between us, I ſend my Couſin the Duke of *Vendoſme* at the head of my armies to make known to you my intentions; he will allow you but twenty four hours to reſolve what you have to do.

LEWIS.

The Duke of *Savoy* however continu'd firm to the Allies, and publiſh'd a Manifeſto, ſetting forth the neceſſity and juſtice of his proceedings, and ſent expreſſes to the Emperor, and the reſt of the confederated Powers, to ſolicit their aſſiſtance, and enable him to weather the impending ſtorm.

To return to *England*: The Duke of *Schomberg*, Knight elect of the moſt noble Order of the Garter, was inſtalled at *Windſor* in the month of *September*. In the ſame month a Com-

2 ANNÆ, 1703. miſſion was granted to the Lord *Granville*, Lord Warden of the Stannaries, to hold a Convocation or Parliament of Stannators, according to ancient cuſtom, who met at *Truro* in *Cornwal*, where the Lord Warden made a ſpeech to them, and acquainted them with her Majeſty's gracious intentions to take off 1600 Tuns of their Tin yearly at 3 *l.* 10 *s.* *per Cent.* ſtannary weight for ſeven years, which was a great ſervice to the Gentlemen in that Country, who cou'd not before ſell their Tin at more than fifty ſhillings *per Cent.*

Queen's Speech to the Parliament.

On the 9th of *November* the Parliament met, and the Queen being come to the Houſe, and the Commons ſent for up, her Majeſty made a Speech, wherein ſhe deſires Supplies of the Commons, to enable her to perform her engagements with the King of *Portugal*, and the Duke of *Savoy*, as well as her former engagements. She tells them the Funds have held out ſo well, and the Prizes been ſo conſiderable, that they have defrayed the charge of the expedition to *Portugal*, and of the augmentation of Troops deſir'd by the States General, beſides the ſervices they were rais'd for. That ſhe had out of her own Revenue contributed to the ſupport of the Circle of *Suabia*, whoſe firm adherence to the intereſt of the Allies under the greateſt preſſures, well deſerv'd our aſſiſtance. She wiſh'd a leſs chargeable way might be found out for manning the Fleet: Recommended the preventing the exceſſive price of Coals; and, in all their affairs, recommended to them diſpatch, on which ſhe ſaid depended the ſucceſs of all their enterprizes: And laſtly, ſhe expreſs'd an earneſt deſire of ſeeing them in perfect union among themſelves, and deſir'd they wou'd avoid all heats and diviſions.

Two

Two days after the Commons attended her Majeſty with an Addreſs of Thanks for her Speech, and for engaging the King of *Portugal* and the Duke of *Savoy* in her Alliance; for contributing out of her own Revenue to the publick ſervice, and for her aſſiſtance to the Circle of *Suabia*; and they aſſure her, that they will ſupport her Majeſty in her Alliances, and enable her to carry on the war with vigour. 2 ANNÆ, 1703. *Commons Addreſs.*

The Lords alſo on the 12th of *November* addreſs'd her Majeſty. They ſaid they ſaw with the greateſt ſatisfaction the zeal with which her Majeſty eſpouſed the publick intereſt, *even beyond the obligations of her Treaties*: That ſhe might depend upon ſecurity at home in the love of her people, and therefore ſhe might with the greater ſafety and glory ſend her Fleets and Armies abroad in defence of her Allies. *Lords Addreſs.*

That they ſhou'd willingly pay their proportion of Taxes, encourag'd by her Royal generoſity, for the eaſe of her people, and by the frugal management of what was given. That her Majeſty might expect a ready compliance with all her deſires, and aſſur'd her they ſhou'd oppoſe whatever might tend to create any diſquiet or diſunion among her ſubjects: That they ſhou'd not be wanting in their duty to ſupport her Majeſty's Honour and her Allies, not doubting but God wou'd proſper her arms ſo glorioufly employ'd, to protect all thoſe whom the ambition of the *French* King wou'd oppreſs.

The Commons ſoon after came to a reſolution, That the 40000 men which were raiſed to act in conjunction with the forces of the Allies, and the additional Troops, conſiſting of 10000 men, ſhould be continued for the year 1704. That the proportion of land forces to act in conjunction with *Portugal* ſhould be 8000 men, *The forces on foot this year near* 100000 *men.*

2 ANNÆ, 1703. one thouſand whereof to be Horſe and Dragoons; and that 40000 men, including 5000 marines, be employ'd for ſea ſervice, in all 100000 men wanting two; and we were ſo far from failing of our contingents of men and money, as many of the Allies conſtantly did, that we did, as the Lords ſay in their Addreſs, *go beyond the obligations of our Treaties.*

The great Storm.

On the 26th of *November*, about midnight, began that terrible Storm, whoſe violence neither Trees, nor Houſes, were able to reſiſt; whole Woods almoſt were laid as flat as if they had been fell'd by the Ax, and Trees of a conſiderable bulk were torn up by the roots, and blown ſeveral yards from the place where they ſtood, and other Trees ſnap'd ſhort in half. The Roofs of moſt Houſes were uncovered, many Chimneys blown down, the Lead on the roofs of Churches roll'd up like Rolls of Parchment, and many other dreadful effects of its fury appear'd next morning; but that the deſtruction was no greater, and that it did not lay every thing even with the ground, can only be imputed to that Providence that ſays to the raging ſea, Hitherto ſhalt thou go, and no further. Some people indeed were kill'd by the fall of Chimneys, but the numbers were inconſiderable, conſidering the fury of the Tempeſt.

But our loſs at Sea was very conſiderable, many Ships of the Royal Navy, as well as Merchant-men periſhing upon our Coaſt, and many others drove from their anchors to the Coaſt of *Norway:* Among the reſt Sir *Stafford Fairborne* in the *Aſſociation*, who was juſt come into the *Downs* from the *Streights*; and that the Reader may have ſome notion of their diſtreſs, I have here inſerted the account as it was related by one on board.

Her

2 ANNÆ, 1703.

Sir Stafford Fairborne's *diſtreſs in the great Storm.*

Her Majeſty's Ship *Aſſociation*, a ſecond rate of 96 Guns, commanded by Sir *Stafford Fairborne*, Vice Admiral of the Red, and under him Captain *Richard Canning*, ſailed from the *Downs* the 24th of *November* laſt, in company with ſeven other capital Ships under the command of the Honourable Sir *Cloudſley Shovel*, Admiral of the White, in their return from *Leghorn* up the river. They anchored that night off of *Long-Sand head*: The next day ſtruck yards and top-maſts. The 27th, about three in the morning, the wind at W. S. W. encreaſed to a Hurricane, which drove the *Aſſociation* from her anchors. The night was exceeding dark, but what was more dreadful the *Galloper*, a very dangerous Sand, was under her lee; ſo that ſhe was in danger of ſtriking upon it beyond the power of Man to avoid it. Driving thus at the mercy of the waves, it pleaſed God that about five a clock ſhe paſs'd over the tail of the *Galloper* in ſeven fathom of water. The Sea boiſterous and angry all in a foam was ready to ſwallow her up; and the Ship received at that time a ſea on her ſtarboard ſide which beat over all, broke and waſhed ſeveral half ports, and forced in the entering port. She took in ſuch a vaſt quantity of water that it kept her down upon her ſide, and every body believed that ſhe would not have riſen again had not the water been ſpeedily let down into the hold by ſcuttling the decks. During this conſternation two of the lower gun-deck ports were preſſed open by this mighty weight of water, the moſt hazardous accident next to touching the ground, that could have happened to us. But the port that had been forced open being readily ſecured by the direction and command of the Vice Admiral, who tho' much indiſpoſed was upon deck all that time, prevented any far-

2 ANNÆ, 1703. ther miſchief. As the Ship ſtill drove with the wind ſhe was not long in this ſhoal (where it was impoſſible for any Ship to have lived at that time) but came into deeper water, and then ſhe had a ſmoother ſea. However, the Hurricane did not abate, but rather ſeem'd to gather ſtrength; for words were no ſooner uttered but they were carried away by the wind; ſo that although thoſe upon deck ſpoke loud and cloſe to one another, yet they could not often diſtinguiſh what was ſaid; and when they open'd their mouths their breath was almoſt taken away. Part of the ſprit-ſail, tho' faſt furled, was blown away from the yard. A ten oar Boat that was laſhed on her ſtarboard ſide was often hove up by the ſtrength of the wind, and overſet upon her gun-wale. We plainly ſaw the wind ſkimming up the water as if it had been ſand, carrying it up into the air, which was then ſo thick and glooming, that daylight, which ſhould have been comfortable to us, did but make it appear more ghaſtly. The Sun by intervals peeped through the corner of a Cloud, but ſoon diſappearing, gave us a more melancholick proſpect of the weather. About eleven of the clock it diſperſed the Clouds, and the Hurricane abated into a more moderate Storm, which drove us over to the Banks of *Flanders*, and thence along the Coaſt of *Holland* and *Frieſland* to the entrance of the *Elb*, where the 4th of *December* we had almoſt as violent a Storm as when we drove from our anchors, the wind at N. W. driving us directly upon the ſhoar. So that we muſt all have inevitably periſhed had not God mercifully favoured us about ten a clock at night with a S. W. wind, which gave us an opportunity to put to ſea. But being afterwards driven near the Coaſt of *Norway*, the Ship wanting Anchors

and

and Cables, our Wood and Candles wholly expended, no Beer on board, nor any thing else in lieu; every one reduced to one quart of water *per* day; the Men who had been harrassed at *Belle Isle*, and in our *Mediterranean* voyage, now jaded by the continual fatigues of the Storms, falling sick every day: The Vice Admiral in this exigency thought it advisable to put into *Gottenbourgh*, the only Port where we cou'd hope to be supplied. We arrived there the 11th of *December*, and having without loss of time got Anchors and Cables from *Copenhagen*, and provisions from *Gottenbourgh*, we sailed thence the 3d of *January* with 12 Merchant-men under our convoy, all laden with stores for her Majesty's Navy. The 11th following we prevented four *French* Privateers from taking four of our Storeships. At night we anchored off the *Long-sand head*, weighed again the next day, but soon came to an anchor, because it was very hazy weather. Here we rid out again a violent Storm, which was like to have put us to sea. But after three days very bad weather we weighed, and arrived at the *Buoy* of the *Nore* the 23d of *January*, having run very great risques among the Sands. For we had not only contrary winds, but also very tempestuous winds. We lost 18 Men by sickness contracted by the hardships which they endur'd in the bad weather; and had not Sir *Stafford Fairborne* by his great care and diligence got the Ship out of *Gottenbourgh*, and by that means prevented her being frozen up, most part of the Sailors had perished afterwards by the severity of the winter, which is intolerable cold in those parts. 2 ANNÆ, 1703.

The *Reserve*, a fourth rate, Captain *John Anderson* Commander, lost at *Yarmouth*. The Captain, *The loss the Royal Navy sustain'd by the Storm.*

2 ANNÆ. 1703. tain, the Surgeon, the Clerk, and 44 men ſav'd, the reſt of her company drowned, being 175.

The *Vanguard*, a ſecond rate, ſunk in *Chatham* Harbour, with neither Men nor Guns in her.

The *Northumberland*, a third rate, Captain *Greenaway*, loſt on the *Goodwin Sands*, all her company was loſt, being 220 men, including 24 marines.

The *Sterling Caſtle*, a third rate, Captain *Johnſon*, on the *Goodwin Sands*, 70 men, of which were four Marine Officers ſav'd, the reſt were drown'd, being 206.

The *Reſtoration*, a third rate, Captain *Emmes*, on the *Goodwin Sands*, all her company was loſt, being 391.

The *Mary*, a fourth rate, Rear-Admiral *Beaumont*, Captain *Edward Hopſon* on the *Goodwin Sands*. The Captain and Purſer aſhoar, one man ſav'd, the reſt drown'd, being 269.

The *Mortar Bomb*, a fifth rate, Captain *Raymond*, on the *Goodwin Sands*; all her company loſt, being 65.

The *Eagle Advice Boat*, a ſixth rate, Captain *Boſtock*, loſt on the Coaſt of *Suſſex*; all her company, being 45, ſav'd.

The *Reſolution*, a third rate, Captain *Liſle*, on the Coaſt of *Suſſex*, all her company, being 221, ſav'd.

The *Litchfield Prize*, a fifth rate, Captain *Chamberlain*, on the Coaſt of *Suſſex*, all her company, being 108, ſav'd.

The *Newcaſtle*, a fourth rate, Captain *Carter*, loſt at *Spithead*, the Carpenter and 39 men were ſaved, and the reſt, being 193, drown'd.

Verſuvius Fireſhip, a fifth rate, Captain *Paddon*, at *Spithead*; all her company, being 148, ſaved.

The

The *Arundel*, a fifth rate, all the men, being 115 men, ſaved.

The *York*, a fourth rate, loſt ſome days before near *Harwich*; all her men, being 320, but 4 loſt.

Total of the Seamen loſt 1523.

By the Liſt above, it appears that the loſs of Seamen is very conſiderable, but not ſo great as it was feared, becauſe the Ships were not fully manned.

Addreſs of the Commons for repairing the loſs the Navy had ſuſtained.

Upon this calamity and deſtruction in the Royal Navy, the Commons addreſs'd her Majeſty that ſhe wou'd give directions for repairing and building ſuch Capital Ships as ſhe thought fit, and at their next meeting they wou'd make good that expence. They alſo deſir'd ſhe wou'd make ſome proviſion for the families of thoſe ſeamen who had been loſt out of her Majeſty's Ships in the Storm, until the Houſe cou'd provide for them; which her Majeſty accordingly did. Soon after iſſued a Proclamation for a Faſt to be obſerved the 19th of *January*, to deprecate the divine vengeance, and avert the like Judgments for the future.

Bill for preventing occaſional Conformity brought in again.

The Bill *for preventing occaſional Conformity* was brought into the Houſe of Commons again this Seſſions, and paſs'd that Houſe without any conſiderable oppoſition; but when it came to the Lords it was rejected on the ſecond reading by a majority of 12 or 13 voices. The late Reign had ſo repleniſh'd that Houſe with Wh. Lords, both Spiritual and Temporal, that it was impoſſible any thing of this nature ſhou'd paſs at that time. What reaſons ſoever theſe Gentlemen might have in reſerve for their diſſent, the principal of thoſe they were pleaſed to publiſh were theſe. Firſt, That the paſſing this

Bill

2 ANNÆ, 1703. Bill wou'd do the Church more hurt than good. 2. That it was unſeaſonable to provoke the *Diſſenters*. To which it was anſwer'd, That the depriving the *Diſſenters*, the avow'd enemies of the Church, of the power of betraying her, was not like to do her much prejudice. And as to the danger of provoking the *Diſſenters*, if they were already ſo formidable as was repreſented, it was high time to guard againſt them; for one *Diſſenter* in place, was capable of doing more miſchief to the Church, than ten that were out of office.

Queen's Speech concerning the Scotch *Plot.*

On the 17th of *December* her Majeſty made a Speech to both Houſes, wherein ſhe acquainted them with a Plot carried on in *Scotland* by the Emiſſaries of *France*, and ſaid ſhe wou'd lay the particulars before them as ſoon as they could be made publick without prejudice.

The Lords examine into the Plot, and addreſs the Queen.

Upon which the Houſe of Peers appointed a ſelect Committee of ſeven Lords, to take examinations as to the Plot, and preſented an Addreſs to the Queen, wherein they thank'd her for promiſing to communicate thoſe informations to them of the ill practices of her enemies in *Scotland*, and doubted not but the zeal that Houſe had ſhewn for having the Conſpirators ſecur'd, and their deſigns brought to light, had been very acceptable to her Majeſty; and that they wou'd by their utmoſt zeal, maintain the Rights of the Crown, and the Church of *England*, in all ſuch ways as might beſt anſwer her Majeſty's pious deſigns, and might moſt promote the good and happineſs of all her ſubjects.

The Commons Addreſs.

The Commons alſo addreſs'd the Queen, and thank'd her for her Speech, and communicating the Plot to them, whereby they had an opportunity to repeat their unanimous reſolutions to ſtand by and ſupport her Majeſty and the Pro-

teſtant Succeſſion againſt all Pretenders, and all her Majeſty's enemies whatſoever. They ſaid they cou'd never have the leaſt diſtruſt of her Majeſty's vigilance and care for the preſervation of the Proteſtant intereſt in general, and of the Monarchy and the Church of *England*, as by Law eſtabliſh'd; and they aſſur'd her Majeſty, that they wou'd never be diſcourag'd, but wou'd continue inceſſant in their endeavours, by all proper methods, to tranſmit them ſecurely to poſterity. Her Majeſty aſſur'd them they might depend upon her willingneſs to join her endeavours with them in ſecuring the Proteſtant Succeſſion, and the Church of *England*, as by Law eſtabliſh'd. 2 ANNÆ. 1703.

Two or three days after the Commons preſented another Addreſs, laying before her Majeſty the juſt concern they were under to ſee her Prerogative violated: They ſaid they were ſurpriz'd to find, that when ſeveral perſons ſuſpected of treaſonable practices were taken into cuſtody by her Majeſty's Meſſengers, in order to be examin'd, the Lords, *in violation of the known Laws of the Land*, had wreſted them out of her Majeſty's hands, and without her leave or knowledge, in a moſt extraordinary manner, taken the examination of them ſolely to themſelves; whereby a due enquiry into the evil practices and deſigns againſt her Majeſty's Perſon and Government, might in great meaſure be obſtructed. They deſire her Majeſty that ſhe will ſuffer no diminution of her Prerogative, in the exerciſe whereof they were reſolv'd to ſupport her, as well as in carrying on the war. *The Commons Addreſs againſt the Lords examination of the Plot.*

The Queen anſwer'd, She had the ſatisfaction to find that the matter which occaſion'd this Addreſs was now at an end, but return'd them thanks for their care of her Prerogative; and

ſaid,

2 ANNÆ, 1703. said, she wou'd be careful to suffer no invasion of it, or of the Liberties of her people.

The Lords assert the rights of taking such examinations:

The Lords resenting the reflections cast upon them by the Commons Address, resolv'd, That by the known Laws and Customs of Parliament, they have an undoubted right, whenever they conceive it to be for the safety of her Majesty and the Kingdom, to take examinations of persons charg'd with criminal matters, whether they be in custody or not, and to order that persons to be examin'd be taken into custody of her Majesty's sworn Officers attending their House; and that the said Address of the Commons was unparliamentary, groundless, without precedent, &c. and drew up a Representation to her Majesty upon the said resolution; wherein they take notice, that the expressions in the Address of the House of Commons were so very harsh and indecent, that the like were never us'd of the House of Peers in any age, not even by that Assembly, which under the name of the House of Commons, took upon them not only to abolish the House of Lords, but to destroy the Monarchy. They observe also, that the matter of the said Address was no less injurious to them than the terms, for they had an undoubted right to take examinations of persons charg'd with criminal matters, whether such persons were then in custody or not, and also to order the persons so to be examin'd, to be taken into custody of her Majesty's sworn Officers attending this House, or to commit them to any other safe custody that they should think proper. That the drawing this right into question was of dangerous consequence to the Liberties and safety of the people, and to the Constitution, as tending to avoid, or render in great measure ineffectual the enquiries of Parliaments; which was absolutely ne-

And present a Representation to the Queen.

cessary

ceſſary where many and great perſons were engag'd in dangerous deſigns againſt the Government, or where ill Miniſters abuſe their favour towards the oppreſſing or enſlaving the people. And it was certain the Houſe of Commons had ſeveral times taken upon them to exerciſe an authority like that which they ſo ſeverely reflected on in their Addreſs. 1 ANNÆ, 1702.

That the ordering perſons to be examin'd in the Houſe of Peers, where her Majeſty was always preſent in conſideration of Law, and where ſhe might be preſent in her Royal Perſon as often as ſhe pleas'd, cou'd never be deem'd an excluſion of her Majeſty from the examinations. And if the Commons, before they carry'd up that unprecedented Addreſs, had deſir'd a Conference, as is uſual in ſuch caſes, the matter might have been fairly diſcuſs'd; and if they cou'd have convinc'd the Peers of any miſtake, they wou'd have given them any reaſonable ſatisfaction: But without making any ſuch previous ſtep, the Commons had made an Appeal directly to the Throne againſt the Houſe of Lords, and charg'd them, tho' moſt unjuſtly, with attempts of the higheſt nature. And tho' her Majeſty's Royal heart was unmoveably fix'd on preſerving the Liberties of the people, yet if in after times the Houſes of Parliament ſhou'd be appealing againſt one another to the Crown, how fatal the conſequences might be in the Reign of an ill-deſigning Prince, and what advantages might be taken from it, for utterly ſubverting the Conſtitution, they thought deſerv'd conſideration. There were examples abroad, where proceedings of this kind had ended in the overthrow of the Liberties of the people, and her Majeſty would readily diſcern whether it naturally tended for one Houſe of Parliament to be

ANNÆ. 1703. be exciting the Sovereign to exert a Zeal or ſuppos'd Prerogative againſt the other Houſe. The Lords never had a thought of uſing this dangerous method, whatever occaſions might have been given of late years. And they promis'd her Majeſty, they would always endeavour to preſerve a good underſtanding with the Commons, and ſhould never think it too dear to procure that union at any rate, unleſs that of delivering up thoſe rights and powers which were lodg'd in them by the Law, and without which the Conſtitution could not ſubſiſt.

Her Majeſty told them in her anſwer, That ſhe was ſorry for any miſunderſtanding between the two Houſes, but ſhe cou'd not but take notice with ſatisfaction of the aſſurances they gave her that they wou'd carefully avoid all occaſions of them.

The Commons Repreſentation.

The Commons ſoon after addreſs'd her Majeſty, in anſwer to the Lords Repreſentation: They ſaid, their Lordſhips thought fit to take offence at the manner and words of their Addreſs, but they had made uſe of no terms but what were ſuitable to the occaſion, and ſuch as had been frequently and reciprocally uſed by both Houſes to each other: And whatever expreſſions their zeal for her Majeſty and the publick might have inſpir'd, they cou'd never have offer'd to their Sovereign ſo ungrateful a remembrance as the deſtruction of the Monarchy, by a deteſtable Aſſembly compos'd of Members of both Houſes, who being alike partakers of the guilt, ought equally to ſhare the reproach.

That they might with more reaſon obſerve, that their Lordſhips, not contented with preferring their own examinations to her Majeſty's, and not content with excluding her and the Commons (to whom Parliamentary enquiries properly

perly belong) had appropriated to their Houſe only the name of a Parliament; an inſtance not to be parallel'd, unleſs by that very Aſſembly that ſubverted the Monarchy. 2 ANNÆ, 1703.

That the queſtion was not, Whether their Lordſhips had a power of taking into cuſtody, while under examination, perſons accus'd of criminal matters, cognizable in Parliament, but that the Peers had a right to take the priſoners of the Crown, and the examination of them, ſolely into their own hands without her Majeſty's conſent, and in ſuch a manner as muſt neceſſarily prove an excluſion of her Majeſty and the Commons: This the Commons deny'd, and the Lords had produc'd no precedent for it.

That when her Majeſty communicated to the Lords the *Scots* Conſpiracy, with an exception only of ſome matters not yet proper to be made publick, and with which her Majeſty aſſur'd them, they ſhou'd be acquainted as ſoon as it cou'd be done without prejudice; their Lordſhips notwithſtanding immediately addreſs'd her Majeſty, preſſing her to lay before them the whole matter: This cou'd not but ſenſibly affect her faithful Commons, who earneſtly deſir'd to ſee both Houſes of Parliament, and the whole body of the people entirely agreed to pay the deference due to her Majeſty's wiſdom, to confide in her care, and maintain her Honour and Dignity. That the Lords not ſatisfy'd with aſſuming this unprecedented power, endeavour'd to perſuade her Majeſty of the neceſſity of it to prevent the deſigns of ill Princes and their favourites. But as it was unreaſonable to begin to practiſe upon a good Prince ſuch methods as were pretended only needful againſt an ill one; ſo it was their opinion, that the danger might be much greater by admitting this precedent,

ſhou'd

2 ANNÆ, 1703. ſhou'd the Lords continue to defend one another from enquiries and proſecutions.

That had the Lords conſulted their own Journals, they wou'd not have affirm'd, That a direct Appeal to the Throne, without any previous conference, was an unprecedented practice: Nor cou'd they ſo ſoon forget their Addreſs to her Majeſty the laſt Seſſion, on behalf of the Biſhop of *Worceſter*, and their Addreſs to the late King on behalf of the four impeach'd Lords.

That they ſhou'd be careful, as far as was conſiſtent with their neceſſary juſtification, of reviving animoſities; and how great ſoever the provocation had been, her Majeſty having declar'd her uneaſineſs at theſe miſunderſtandings, they ſhou'd make no difficulty of laying aſide their reſentments, but hop'd they ſhould ſtand acquitted to the world and her Majeſty, ſince the zeal they had ſhewn, and the reproaches they had born, had been owing to no other cauſe but the defence of an excellent Queen; in whoſe hands God had plac'd the executive Authority over theſe Nations.

The Queen thank'd them for the great concern they expreſs'd for her juſt Rights, and ſaid, ſhe was pleaſed with the aſſurances they gave her of avoiding all occaſions of difference between the two Houſes.

The Commons farther Addreſs as to the Lords examinations.

The Commons alſo addreſs'd her Majeſty again, that ſhe wou'd re-aſſume the juſt exerciſe of her Prerogative, and take to her ſelf the examination of the ſaid Conſpiracy, and declar'd, That the eſtabliſhing a Committee of ſeven Lords for the ſole examination of the Conſpiracy, was of dangerous conſequence, and might tend to the ſubverſion of the Government.

The Queen thank'd them for their confidence in her, and ſaid ſhe ſhou'd conſtantly exerciſe her

her juſt Prerogative for the ſecurity and ſatiſ- 2 ANNÆ, 1703.
faction of her ſubjects.

The Lords however went on with their examinations of the *Scotch* Plot, and ſome time after preſented another Repreſentation to the Queen, in relation to their taking the ſaid examinations; which was fill'd with reflections and inſinuations againſt the Commons, and contain'd ſome farther juſtification of their conduct. Among other things they take notice, that the Commons ſtopp'd the iſſuing Writs for filling up the vacancies in their Houſe, whereby they ſaid they made themſelves an imperfect Repreſentation, which was a wound to the Conſtitution, and that there were very few things leſs excuſable in that unhappy Houſe of Commons who began the Rebellion, than their refuſing to fill up their body and compleat the Repreſentation, and that an ill Prince might take advantage of theſe precedents, and think himſelf juſtified in withholding his Writs from ſome places, by as good Law as the Commons cou'd ſhew for pretending to ſtop them from iſſuing to others: And concluded expreſſing a juſt ſenſe of her Majeſty's moderation in not ſuffering her ſelf to be prevail'd upon to do any thing to the prejudice of the Conſtitution, from whatever hands the invitation came. *The Lords farther Repreſentation.*

The Queen anſwer'd, She hop'd none of her ſubjects deſir'd to leſſen her Prerogative, ſince ſhe ſhou'd uſe it only for their protection and advantage. That any miſunderſtanding between the two Houſes, muſt be to the prejudice of the publick; and therefore ſhe ſhou'd not omit any thing in her power to prevent the occaſions of them.

The Suit between *Aſhby* and *White* created a farther difference between the two Houſes: The *Farther Debates between the*

2 ANNÆ, 1703. case was, in ſhort, This *Matthew Aſhby* brought an Action againſt *William White, &c.* Conſtables of *Aylesbury*, for refuſing his vote at an Election of Burgeſſes to ſerve in Parliament for that Borough: *Aſhby* being caſt, brought a Writ of Error in the Houſe of Lords, who gave judgment for *Aſhby*. The Commons hereupon reſolv'd, That according to the known Laws and uſage of Parliament, it was the ſole right of the Commons (except in caſes otherwiſe provided for by Act of Parliament) to examine and determine all matters relating to the right of Election of their own Members. 2. That neither the qualification of any Elector, or the right of any perſon elected, is cognizable or determinable elſewhere than before the Commons, except as aforeſaid. 3. That the examining and determining the qualification or right of any Elector, or any perſon elected in any Court of Law, or elſewhere, than before the Commons, except as aforeſaid, will expoſe all Mayors, and other return Officers, to multiplicity of actions and vexatious ſuits, and ſubject them to different and independent Juriſdictions, and inconſiſtent determinations. 4. That *Matthew Aſhby* having brought his Action againſt *White, &c.* for not receiving his vote, was guilty of a breach of Privilege. 5. That whoever ſhall commence or proſecute any Action, Indictment, or Information, which ſhall bring the right of the Electors or elected to the determination of any other Juriſdiction than the Houſe of Commons, except as aforeſaid, ſuch perſons and all Attornies, Solicitors, Counſellors, and Serjeants at Law, ſoliciting, pleading, or proſecuting in any ſuch caſe, are guilty of a high breach of the Privilege of this Houſe: And theſe reſolutions were order'd to be fix'd on *Weſtminſter-Hall* Gate, ſign'd by the Clerk.

Houſes in the caſe of Aſhby and White.

Reſolutions of the Commons, that they had the ſole right of determining controverted Elections.

On

2 ANNÆ, 1703.

Reſolutions of the Lords as to that matter.

On the other hand, the Lords reſolv'd, 1. That by the known Laws of this Kingdom, every Freeholder, or other perſon having a right to vote at the Election of Members to ſerve in Parliament, and being wilfully deny'd or hindred ſo to do, by the Officer who ought to receive the ſame, may maintain his Action againſt ſuch Officer, and recover damages for the injury. 2. That the aſſerting, That a perſon having right to give his vote at an Election, and being hindred ſo to do by the Officer who ought to take the ſame, is without remedy for ſuch wrong by the ordinary courſe of Law, is deſtructive of the property of the ſubjects, againſt the freedom of Elections, and manifeſtly tends to encourage corruption and partiality in Officers, who are to make returns to Parliament, and to ſubject Freeholders and other Electors, to their arbitrary will and pleaſure. 3. That the declaring *Matthew Aſhby* guilty of a breach of Privilege of the Houſe of Commons, for proſecuting his Action againſt the Conſtables of *Ayleſbury*, *&c.* after he had obtain'd a judgment in Parliament for recovery of his damages, is an unprecedented attempt upon the Judicature in Parliament, and is, in effect, to ſubject the Law of *England* to the Votes of the Houſe of Commons. 4. That the deterring Electors from proſecuting Actions in the ordinary courſe of Law, where they are depriv'd of their right of voting, and the terrifying Attornies, Solicitors, Counſellors, and Serjeants at Law, from ſoliciting, proſecuting, and pleading in ſuch caſes, by voting their ſo doing to be a breach of Privilege of the Houſe of Commons, is a manifeſt aſſuming a power to controul the Law, to hinder the courſe of juſtice, and ſubject the property of *Engliſhmen* to the arbitrary Votes of the Houſe of Commons.

2 ANNÆ, 1703.

An order for the regulation of the Play-houſes.

This winter her Majeſty publiſh'd an order for the better regulation of the Play-houſes, prohibiting them to act any thing contrary to Religion or good Manners; and commanding that no perſon, of what Quality ſoever, preſume to go behind the ſcenes, or upon the ſtage, either before or during the action; and that no woman wear a vizard maſk in the Theatres, and that no perſon come into the Play-houſe without paying the uſual prices.

The Order of the Thiſtle reviv'd in Scotland.

Her Majeſty this winter reviv'd the Order of the Thiſtle in *Scotland*, and *John* Duke of *Argyle* was the firſt Nobleman receiv'd into that Order, on the 4th of *February*: The Knights of this Order wear a green Ribbon as the Knights of the Garter blue. Their Motto is *Nemo me impune laceſſit*.

In the beginning of *February* the Queen ſent the following meſſage to the Houſe of Commons, *viz.*

ANNE R.

A meſſage from the Queen to the Commons for augmenting the maintenance of the poorer Clergy.

HER Majeſty having taken into her ſerious conſideration the mean and inſufficient maintenance belonging to the Clergy in divers parts of this Kingdom, to give them ſome eaſe hath been pleas'd to remit the arrears of the Tenths to the poor Clergy. And for an augmentation to their maintenance, her Majeſty is pleaſed to declare, that ſhe will make a grant of her whole Revenue ariſing out of the Firſt-fruits and Tenths, as far as it now is or ſhall become free from incumbrances, to be apply'd to this purpoſe: And if the Houſe of Commons can find any proper method by which her Majeſty's good intentions to the poor Clergy may be made more effectual, it will be a great advantage

tage to the publick, and very acceptable to her Majeſty. 2 ANNÆ, 1703.

St. *James's*, *Febr.* 7. 1703.

The Commons thereupon addreſs'd her Majeſty, expreſſing their Thanks for her gracious meſſage, and her pious concern for encreaſing the maintenance of the poor Clergy out of her own Revenue. And aſſur'd her Majeſty, they wou'd do their utmoſt to make her Majeſty's charitable intentions moſt effectual: And accordingly a Bill was brought in *for the making more effectual her Majeſty's gracious intentions for the augmentation of the maintenance of the poor Clergy, by enabling her Majeſty to grant in perpetuity the Revenues of the Firſt-fruits and Tenths.*

Addreſſes of the Clergy to the Queen thereupon.

The Clergy of the Province of *Canterbury* aſſembled in Convocation, ſoon after attended her Majeſty with an Addreſs of Thanks, as did the Clergy of the Province of *York*: And the lower Houſe of Convocation of the Province of *Canterbury* order'd Mr. Prolocutor, Mr. Dean of *Wincheſter*, Dr. *Edwards*, Dr. *Smaldridge*, and Dr. *Atterbury*, to attend Mr. Speaker of the Houſe of Commons, to return their thanks to that honourable Houſe for their alacrity and readineſs to render her Majeſty's charitable intentions effectual, and promiſing her Majeſty to purſue ſuch methods as might beſt conduce to the ſupport, honour, intereſt, and future ſecurity of the Church of *England*, as by Law eſtabliſh'd.

About this time we receiv'd an account of the Emperor's having renounc'd his intereſt in the *Spaniſh* Dominions in favour of the Archduke *Charles*, in the following manner.

The Archduke Charles declar'd

Upon the 12th of *September* in the morning, the Emperor, and the King of the *Romans*, ſign'd and ſwore to an Act, by which they both reſign'd

2 ANNÆ 1703. resign'd all their Right and Claim to the *Spaniſh* Monarchy in favour of the Archduke *Charles*. The ſame day about four in the afternoon, all the Privy-Counſellors were ſummon'd to the Council-Chamber, where the Emperor, the King of the *Romans*, and the Archduke were preſent. At what time the Emperor made a ſhort ſpeech, importing, That the branch of the Houſe of *Auſtria* in *Spain* being extinct by the death of the deceas'd King *Charles* II. that Monarchy, with the Dominions annexed to it, were devolved upon him; and therefore being importun'd by his illuſtrious Confederates, and among the reſt by the King of *Portugal*, to provide a Succeſſor to that Monarchy; he had thought fit to ſend over to *Spain* his ſecond Son, the Archduke *Charles*, in order to be put into poſſeſſion of the ſaid Kingdom, and the Dominions thereto belonging. To which purpoſe his ſaid Imperial Majeſty, and the King of the *Romans*, had thought it requiſite to make a Reſignation of all their Right and Title to that Crown, ſaving however to themſelves the Rights of the Empire, in purſuance of which Renunciation they declar'd and acknowledg'd the ſaid Archduke to be King of *Spain*. After the Emperor had concluded, the Chancellor of the Court read both the Acts of Renunciation, as well on the behalf of his Imperial Majeſty as of the King of the *Romans*, as alſo another Act on the behalf of the Archduke, containing (as was ſaid) his acceptance of the *Spaniſh* Crown, and a relinquiſhing of all his Right and Claim to the Dominions of the Houſe of *Auſtria* in the Empire. Which done, the Emperor, and the King of the *Romans* repair'd to an Altar erected at the end of the room, where they ſwore to the religious obſervance of the conditions and ſtipulati-

King of Spain, with the Renunciation of the Emperor and the King of the Romans.

ons

ons of the ſaid Acts, as did alſo the Archduke for his part, the Goſpel being preſented to their Majeſty's by Cardinal *Colonitz*. 2 Anne 1703.

After the ceremony was over, the Archduke was proclaimed King of *Spain*, and receiv'd the complements upon it of the whole Court, the Grandees of *Spain*, and the *Neapolitan* Lords that were in town, and ſeveral Miniſters.

Emperor's Letter to the King of Portugal on his ſending his Son King Charles thither.

Leopold, by the grace of God, elected Emperor of the *Romans*, &c. The intention we have long ſince had of yielding to our ſecond Son the Monarchy of *Spain*, deſcended to us by the death of the late King *Charles* II. of glorious memory, was yeſterday put in execution; and he having been accordingly proclaim'd King of *Spain* and the *Indies* with the conſent and approbation of our eldeſt Son the King of the *Romans*, we intend, by God's permiſſion, to ſend him in few days to take poſſeſſion of his ſaid Kingdom. Now altho' your Majeſty will be exactly informed of the whole matter by my Son himſelf, who we hope will in a ſhort time arrive ſafe in your Port of *Liſbon*, yet we look upon it becoming us to give your Majeſty an account of it beforehand by this our Letter, being alſo ready to acknowledge that your Majeſty's good advice, and the ſtrict Treaty of Alliance lately concluded with you has obliged us to defer this affair no longer. We do not doubt but your Majeſty will carry on vigorouſly with your Council and Arms what we have thus began for the good of the common Cauſe. And on our part, we can give no greater teſtimony of our confidence in your Majeſty, than by putting ſo dear and precious a pledge of our confidence into your hands. As we are perſuaded your Majeſty has no leſs inclination to preſerve his Perſon,

2 ANNÆ, 1703. Crown and Dignity, than we our ſelves could have; ſo we beg your Majeſty to believe that both we and our Sons will not forget ſo great ſervices, but make all poſſible acknowledgments and returns whenever occaſion ſhall preſent. Alſo that we will religiouſly perform all that we have promis'd, and moreover omit nothing that ſhall at any time be in our power to do for your Majeſty, and your Royal Family. That in the mean time that the great God may preſerve your Majeſty in health, and give a happy iſſue to your Councils and Arms, is the hearty Prayer of, *&c.* Given at *Vienna* the 13th of *September*, 1703.

The Emperor's Letter to the Queen of England, *recommending his Son King* Charles III. *to her protection.*

LEOPOLDUS, *&c.*

The Emperor's Letter to the Queen of England.

ACcording to our mutual friendſhip, we do by theſe preſents ſignify to your Serenity, with a friendly affection, and in a brotherly manner, that yeſterday, with the conſent of our firſt-born Son the King of the *Romans*, we conferred upon our other Son the Archduke *Charles* the *Spaniſh* Monarchy, legally devolved upon us by the death of the illuſtrious Catholick King *Charles* II. and did openly declare him King of *Spain* and the *Indies*, under God's gracious protection. This matter has been long deliberated by us, and could not eaſily be adjuſted, becauſe many things offer'd themſelves to our conſideration *pro* and *con*; but while we were in ſuſpenſe the Judgment and Advice of your Serenity, ſignified to us by your Envoy Extraordinary, was of great weight to remove our doubts; and being moved in your Serenity's name to haſten this Declaration,

Declaration, and the departure of our ſaid Son, we did the more readily and willingly undertake it, becauſe we have always found in your Serenity a great foreſight in giving and receiving counſel, and a faithful performance of your promiſes. We have alſo obſerv'd in your Serenity ſuch a particular affection and good-will towards us, and our Houſe of *Auſtria*, that we firmly believe your Serenity will not only take what we have done in good part, but will always regard it as your own Act. Our ſaid Son would gladly ſignify this our Confidence and his to your Serenity, and expreſs our joint gratitude and acknowledgment of it in perſon; but ſince the preſent poſture of the common affairs calls him farther, he will perform this in another method upon his arrival. But may it pleaſe your Serenity in the mean time to allow us, ſince he is to leave us in a few days, wholly to deliver him over and recommend him to your Serenity as to another Mother, with aſſurance on his part that ſo long as he lives he ſhall honour your Serenity with filial reſpect; and that our Family ſhall ever be oblig'd to ſerve your Serenity in the ſtricteſt manner, and with perpetual gratitude. We add no more but our praiſes to the almighty and gracious God, to grant your Serenity long health and happy ſucceſs. *Vienna, September* 13, 1703. 2 ANNÆ. 1703.

The Queen of England's *Letter to King* Charles III. *on his being declared King of* Spain.

My Lord and Brother,

I Have heard with great ſatisfaction of your being declared King of *Spain*, and do heartily congratulate you upon this account, and wiſh that the *Spaniſh* Crown, which is your right, may prove as proſperous to you as it has been *Queen's Letter to King* Charles III.

2 ANNÆ, 1703. been to your Anceſtors; and to give a proof of my friendſhip to the Houſe of *Auſtria*, my eſteem for your Perſon and Merits, and my concern for your Honour and Intereſt, I am reſolv'd to employ all the ſtrength of my Arms in your favour. I have order'd the Duke of *Marlborough*, Captain General of my forces, to aſſure your Majeſty that I ſhall neglect no opportunities of giving you real proofs of the Sincerity with which I am,

My Lord and Brother,

Your moſt affectionate Siſter,

ANNA REGINA.

The King of Spain's *Anſwer to her Majeſty.*

My Lady and Siſter,

King Charles's Anſwer. I Am the more affected with the aſſurances of your friendſhip, ſignify'd in the Letter deliver'd to me by the Duke of *Marlborough* your Ambaſſador, and Captain General of your forces, ſince thereby you have ſo generouſly renew'd the affection and promiſes made to the Houſe of *Auſtria* in the beginning of your Reign. If our Arms be bleſt with ſucceſs according to your wiſhes, I do aſſure your Majeſty that they ſhall be only employ'd againſt our common enemies, and for the advantage of your Kingdom, and the preſervation of the Liberties of *Europe*. I deſire your Majeſty to honour me with your wiſe Counſels, which are a terror to your enemies, but the ſupport of your Allies, and the happineſs of your ſubjects; and I ſhall always follow them with reſpect and deference as having manifeſtations of your good and ſincere aims. I look upon

upon it as a ſign of your particular eſteem, that your Majeſty has made choice of the Duke of *Marlborough* to be witneſs of the regard I have for your Concerns, and of my admiration of the Merits of your Perſon; and that I wiſh nothing more earneſtly than to have opportunities to ſhew with what ſincerity and gratitude I am, 2 ANNÆ. 1703.

Lady and Siſter,

Your moſt affectionate Brother,

CHARLES.

The Archduke *Charles*, now ſtil'd King of *Spain*, having ſet out from *Vienna* in the middle of *September* on his Journey for *Holland*, paſs'd thro' the Territories of the Elector of *Hanover*, who met and complimented him on his arrival there. At *Duſſeldorp* he was receiv'd by the Elector *Palatine*, where ſtaying ſome time, the Duke of *Marlbro'* waited on him in her *Britannick* Majeſty's name, and congratulated him on his acceſſion to the Throne of *Spain*. His Majeſty took his Sword from his ſide (being very rich, and provided for that purpoſe) and gave it to the Duke, telling him in *French*, He was not aſham'd to ſay he was but a poor Prince, *Je n'ay que le Cape & L'Epee; I have nothing but my Cloak and my Sword, the latter may be of uſe to your Grace, and I hope you will not think it the worſe for my wearing it one day.* On the 2d of *November* his Majeſty arriv'd at the *Hague*, and on the 23d of *December* embarked for *England*. While he was at the *Hague* he repreſented to the States, that as King of *Spain* the Province of *Limburgh* belong'd to him, and deſir'd he might have the Civil Government

2 ANNÆ, 1703. vernment thereof, which the States, and the reſt of the Allies conſenting to, his Catholick Majeſty appointed Count *Zinzendorf* to take poſſeſſion of the Town and Province of *Limburgh* in his name, which he ſoon after did.

King Charles arrives in England. On the 26th of *December* his Catholick Majeſty arriv'd at *Spithead*, and the next day the Duke of *Somerſet*, Maſter of the Horſe to the Queen, waited on him on ſhipboard with a Letter and Compliment from her Majeſty, and acquainted him, that her Majeſty expected to ſee him at *Windſor*. The next day his Catholick Majeſty landed, and went to *Petworth* a Seat of the Duke of *Somerſet*'s in *Suſſex*, where the Prince of *Denmark* was come to receive him, and they were both ſplendidly entertain'd there by the Duke that evening. On the 29th of *December* his Catholick Majeſty and the Prince ſet out for *Windſor*, where they arriv'd about ſeven in the evening. His Majeſty was receiv'd by the Queen on the Stairs-head. Having made his Compliments, he thank'd the Queen for her generous aſſiſtance, and having led the Queen into her Bed-chamber, ſhe preſented ſeveral Ladies of the firſt Quality to him, who had each of them the honour of a Kiſs from his *Auſtrian* lip. Then the Prince waited on his Majeſty to the apartment prepar'd for him. His Majeſty ſupp'd with the Queen and Prince that evening, her Majeſty giving the King the Right-hand at the Table, and the Prince ſitting at the end.

While the King was at *Windſor*, the *Spaniſh* Merchants attended him to wiſh him ſucceſs, and deſire his protection, and were very favourably receiv'd by him.

His Majeſty lay but two Nights at *Windſor*, where the Court appear'd in all its luſtre. Nothing was wanting that might render the entertainment

tainment agreeable or magnificent. After ſupper one evening, the King took the Napkin from the Ducheſs of *Marlborough*, and wou'd hold it for the Queen while ſhe waſh'd, and then return'd it to her Grace with a Diamond Ring in it. The reſt of the Queen's ſervants being ſtrictly prohibited receiving any thing, the King had no other opportunity of diſplaying his generoſity. And indeed this piece of frugality was not unſeaſonable at this time, for the Queen was ſo ſenſible of the ſtraitneſs of his Majeſty's Circumſtances, that 'tis ſaid ſhe made him a preſent of 50000 *l.* ANNÆ, 1703.

On the 31ſt of *December* his Catholick Majeſty, being accompanied by the Duke of *Somerſet*, ſet out for *Petworth*, where he arriv'd that evening, and the next day went on board Admiral *Rooke* in the *Royal Catherine* at *Spithead*.

He ſets ſail for Portugal.

The *Dutch* Admiral being arriv'd at *Spithead* with his Squadron, on the 5th of *January* the Grand Fleet ſet ſail for *Portugal*, but meeting with a violent Storm in the latitude of 46, wherein they receiv'd conſiderable damage, they return'd to St. *Hellens* on the 20th. Whereupon the Duke of *Somerſet* came on board the *Royal Catherine*, and invited his Majeſty aſhoar.

King Charles *arrives at* Lisbon.

The Fleet having repair'd the damage it had ſuſtain'd, his Majeſty went on board again, and on the 12th of *February* ſet ſail again for *Portugal*, where he arriv'd the 25th. On the 27th the King of *Portugal*, with the two Princes his eldeſt Sons, came on board the *Royal Catherine*, and after a ſhort ſtay there the two Kings went on ſhoar, and *Te Deum* was ſung for his Catholick Majeſty's arrival; and by the beginning of *March*, all the *Engliſh* and *Dutch* auxiliaries landed in *Portugal*, not one Ship being loſt in the paſſage.

2 ANNÆ, 1703. passage. Upon the King of *Spain*'s arrival, the Marquiss of *Chatteneuf*, Ambassador from *France* to the King of *Portugal*, retired into *Spain*.

On the 21st of *February* Count *Wratislaw*, the Emperor's Envoy Extraordinary, having receiv'd the character of Envoy Extraordinary from the King of *Spain*, gave her Majesty Thanks, in the name of his Catholick Majesty, for the powerful succours and assistance her Majesty had given him towards recovering his Dominions in *Spain*.

Tutchin *the* Observator *prosecuted.*

About this time *Tutchin* the *Observator* exceeding his usual scurrility in some of his essays against the occasional Bill, it was resolv'd by the Commons, That his Papers contain'd matters scandalous and malicious, reflecting upon the proceedings of the House of Commons, and tending to the promoting of Sedition in the Kingdom: And that *Tutchin* the Author, *How* the Printer, and *Bragg* the Publisher of that paper, shou'd be taken into Custody of the Serjeant at Arms; and upon their absconding the House addres's'd her Majesty to issue a Proclamation for apprehending them, and accordingly a Proclamation came out, promising a reward of 100 *l.* for taking of *Tutchin*, and 50 *l.* a piece for *How* and *Bragg*. Another Proclamation also was issued, promising a reward of 500 *l.* to any one that cou'd decipher four Letters thought to be relating to the *Scotch* Conspiracy.

Addres's of the Lords for manning the Fleet.

In the beginning of *March* the Lords addres's'd the Queen, acquainting her that the Navy wanted 5 or 6000 men of their complement, and desiring that such a number of Ships might be got ready and mann'd as might be competent to provide for the security of the Nation, and protect the Trade. Whether this was design'd as a reflection on the Lord High Admiral or his

Council, I can't determine, but her Majeſty was pleas'd to give the following Anſwer, *(viz.)* 2 ANNÆ, 1703.

MY LORDS,

I Am glad you find no greater number of Seamen wanting at this ſeaſon of the year to compleat the manning the Fleet; for which I hope ſuch effectual methods are already taken that no ſervice ſhall be diſappointed either abroad or at home, which is neceſſary for the ſecurity and advantage of the Kingdom, or the protection and encouragement of Trade.

Addreſs againſt Admiral Graydon.

The Lords reſolv'd alſo, that Admiral *Graydon* with a Squadron of Men of War meeting four *French* Ships, and not attacking them on pretence of his inſtructions to make the beſt of his way to the *Weſt Indies*, was a prejudice to the Queen's ſervice, and a diſhonour to the Nation: And that his diſorderly preſſing men in *Jamaica*, and ſevere uſage of the Maſters of Merchantmen and Tranſports under his Convoy was a diſcouragement to the Inhabitants of that Iſland, and prejudicial to the Queen's ſervice, and to addreſs her Majeſty that Admiral *Graydon* be no more employ'd.

Lords Reſolutions concerning the Scotch *Plot.*

And in relation to the *Scotch* Plot, they reſolv'd, That it did appear to that Houſe that there had been a dangerous Conſpiracy carried on for the raiſing a Rebellion in *Scotland*, and invading that Kingdom with a *French* power in order to the ſubverting her Majeſty's Government, and bringing in the pretended Prince of *Wales*. And that it was the opinion of that Houſe, That nothing had given ſo much encouragement to this Conſpiracy as the Succeſſion of the Crown of *Scotland* not being declar'd to be in the Princeſs *Sophia*, *&c.* And that her Majeſty

2 ANNÆ, 1703. Majeſty be addreſs'd to uſe her endeavours to have the Succeſſion of the Crown of *Scotland* ſettled as in *England*, and then they wou'd do all in their power to promote an entire union.

And it being debated whether the Earl of *Nottingham* had done his duty in his examination of Sir *John Maclean* concerning the *Scotch* Plot. Upon the Queſtion the Earl was juſtified by a majority of 11 voices. They alſo reſolved, That Mr. *Ferguſon*'s papers relating to the *Scotch* Plot, and delivered by him to the Cabinet Council, were falſe, ſcandalous and ſeditious, and contriv'd to ſtifle the Conſpiracy, *&c.* And that the not paſſing a Cenſure on that Author, or ordering him to be taken into Cuſtody, was a great encouragement to her Majeſty's enemies, and of dangerous conſequence to her Government and the Proteſtant Succeſſion, and order'd *Ferguſon* to be committed to *Newgate*, and proſecuted by the Attorney General for treaſonable practices.

Ferguſon proſecuted.

The Lords alſo addreſs'd her Majeſty, that no perſon who refus'd the Oaths to the late King might be in the Commiſſion of Peace, but that ſhe wou'd put in Men of Quality and Eſtates, of known affection to her Majeſty's Government and the Proteſtant Succeſſion, and the eſtabliſh'd Church, and that ſhe wou'd order ſuch to be reſtor'd who were ſo qualified, and had been turn'd out without juſt cauſe.

Lords Addreſs concerning Juſtices of Peace.

Her Majeſty anſwer'd, She thought it reaſonable that the Commiſſions of the Peace ſhou'd be fill'd with Gentlemen of the beſt Quality and Eſtates, and as fit they ſhou'd be of known loyalty and affection to the Government, the Proteſtant Succeſſion, and the Church of *England*; and ſhe ſhou'd give directions accordingly.

The

The Commons appointed a Committee to examine two Books, one entitled, *Second thoughts concerning the human Soul, as believ'd to be a ſpiritual immortal ſubſtance united to human body, to be a plain heatheniſh invention, and not conſonant to the Principles of Philoſophy, Reaſon, or Religion.* The other, entitled, *The grand Eſſay, or vindication of Reaſon and Religion, againſt impoſtures of Philoſophy.* And upon the report of the Committee of certain paſſages in the ſaid Books, the Houſe reſolv'd, That they contain'd divers Doctrines and Poſitions contrary to the Doctrine of the Church of *England*, and tending to the ſubverſion of the Chriſtian Religion, and order'd the ſaid Books to be burnt by the hands of the common Hangman.

1 ANNÆ, 1703.

Books concerning the mortality of the Soul, &c. order'd to be burnt.

On the 3d of *April* the Queen came to the Houſe of Peers, and having paſs'd ſome publick and private Acts, ſhe made a Speech to both Houſes; wherein ſhe thanks them for their readineſs to aſſiſt her in the preſent war, and the Houſe of Commons in particular for the early diſpatch of the ſupplies. She ſaid at the beginning of the Seſſions, ſhe had recommended to them union among themſelves; which tho' it had not met with all the ſucceſs ſhe cou'd wiſh, yet ſince nothing was ſo neceſſary to their common welfare, ſhe was not diſcourag'd from perſiſting in the ſame earneſt deſires, That they wou'd go down to their ſeveral Countries ſo diſpos'd to moderation and unity, as became all thoſe who were join'd together in the ſame Religion and intereſt; for nothing, next the bleſſing of God, cou'd contribute ſo much to their ſucceſs abroad, and ſafety at home. Then the Parliament was prorogu'd to the fourth of *July*.

Queen's Speech at the breaking up of the Parliament.

2 ANNÆ, 1703. The Clergy of *Ireland* aſſembled in Convocation about this time, tranſmitted an Addreſs to her Majeſty; wherein they declare their gratitude for her reſtoring them after a long diſcontinuance to their right of aſſembling in a national Convocation, being (as they ſaid) perſuaded that this inſtance of her Royal Juſtice, wou'd be no inconſiderable addition of the glories of her Majeſty's reign.

The Convocation of Ireland permitted to ſit.

The Imperialiſts *join the Duke of* Savoy. We have already mentioned the Duke of *Savoy*'s declaring for the Allies, and the preparations of the *French* againſt him; immediately after which, Count *Staremberg*, who commanded the *Imperialiſts* in *Italy*, detach'd 1500 horſe, under the command of General *Viſconti*, to join his Royal Highneſs. This body were attack'd by the enemy in their march, and after ſeveral rencounters made their way into *Piedmont*: But this Reinforcement not being ſufficient to enable his Royal Highneſs to oppoſe the united forces of *France* and *Spain*, General *Staremberg* receiv'd orders from *Vienna* to join his Royal Highneſs with the reſt of his forces; whereupon having made a feint, as if he deſign'd to march for *Germany*, he return'd on a ſudden and paſs'd the *Secchia*, directing his march thro' *Parma* and *Plaſentia*. The Duke of *Vendoſme* follow'd him and fell upon his Rear, which occaſion'd a ſharp diſpute; wherein the Prince of *Lichtenſtein* and Count *Solari* were kill'd: But the *French* being oblig'd to retire, the Army proſecuted their march, and on the 13th of *January* join'd the Duke of *Savoy*.

Acts paſſed 2. *Ann.* Parl' 1. Seſſ. 2.

Cap. 1. An Act for granting an aid to her Majeſty by a Land tax, to be raiſed in the year one thouſand ſeven hundred and four.

By this Act 4*s.* in the pound upon Land is granted for one year from *Lady-day*, one thousand seven hundred and four. 2 Anne, 1703.

An Act for granting an aid to her Majesty, by continuing the Duties upon Malt, Mum, Cyder and Perry for one year. Cap. 2.

An Act for granting an aid to her Majesty for carrying on the war, and other her Majesty's occasions, by selling Annuities at several rates, and for such respective terms or estates as are therein mentioned. Cap. 3.

An Act for the publick registring of all Deeds, Conveyances, and Wills, that shall be made of any Honors, Manors, Lands, Tenements, or Hereditaments, within the West Riding of the County of *York*, after the nine and twentieth day of *September*, one thousand seven hundred and four. Cap. 4.

An Act to repeal a Proviso in an Act of the fourth year of the Reign of King *William* and Queen *Mary*, which prevents the Citizens of the City of *York* from disposing of their personal estates by their Wills, as others inhabiting within the Province of *York* by that Act may do. Cap. 5.

An Act for the increase of Seamen, and better encouragement of Navigation, and security of the Coal Trade. Cap. 6.

An Act for enlarging the term of years granted by an Act pass'd in the Session of Parliament held in the 11th and 12th years of King *William* the III. for the repair of *Dover* Harbour. Cap. 7.

An Act for the erecting a Work-house in the City of *Worcester*, and for setting the poor on work there. Cap. 8.

An Act for granting to her Majesty an additional Subsidy of Tonnage and Poundage for three years, and for laying a farther Duty upon Cap. 9.

2 ANNÆ, 1703. *French* Wines condemn'd as lawful prize, and for aſcertaining the values of unrated Goods imported from the *Eaſt Indies*.

Cap. 10. An Act to enlarge the time for the Purchaſers of the forfeited eſtates in *Ireland*, to make the payments of their purchaſe money.

Cap. 11. An Act for the making more effectual her Majeſty's gracious intentions for the augmentation of the maintenance of the poor Clergy, by enabling her Majeſty to grant in perpetuity, the revenues of the firſt Fruits and Tenths. And alſo for enabling any other perſons to make Grants for the ſame purpoſe.

Truſtees incorporated; on whom the Firſt-fruits and Tenths are ſettled for the benefit of the poor Clergy.

By this Act the Queen is impower'd to incorporate ſuch perſons as ſhe ſhall think fit, who ſhall have a Common-Seal, and perpetual Succeſſion, and to ſettle upon the ſaid Corporation the firſt Fruits of all Benefices, for the maintenance of the Miniſters of the Church of *England*, not ſufficiently provided for under ſuch rules, and in ſuch manner as ſhe ſhall by her Letters Patents appoint.

Private perſons made alien to the ſaid Corporation.

Any perſon by Deed enroll'd, according to the Stat. 27. *Hen.* 8. or by Will in writing, may grant to the ſaid Corporation their eſtate or intereſts in any Lands, Tenements, or Hereditaments, and their property in any Goods or Chattels, for the augmentation of the maintenance of ſuch Miniſters having no ſettled competent proviſions, to be applied according to the appointment of the Benefactor, and in default of ſuch appointment, then in ſuch manner as by her Majeſty's Letters Patents ſhall be appointed.

The ſaid Corporation are enabled to purchaſe, receive, take, hold, and enjoy, for the purpoſes aforeſaid, as well from ſuch perſons as ſhall be ſo charitably diſpos'd to give the ſame,

as

as from all other perſons as ſhall be willing to ſell or alien to the ſaid Corporation, any Manors, Lands, Tenements, Goods or Chattels, without any Writ of *ad quod Dampnum*, the Statute of Mortmain, or any other Law to the contrary notwithſtanding. 2 ANNÆ. 1703.

One Bond only ſhall from henceforth be taken of the Clergy for the four payments of their firſt Fruits.

An Act for raiſing the Militia for the year one thouſand ſeven hundred and four, notwithſtanding the month's pay formerly advanc'd be not repaid. Cap. 12.

An Act for prolonging the time by an Act of Parliament made in the firſt year of her Majeſty's Reign, for importing thrown ſilk of the growth of *Sicily* from *Leghorn*. Cap. 13.

An Act for the better ſecuring and regulating the Duties upon Salt. Cap. 14.

An Act for the better and more regular paying and aſſigning the Annuities, after the rate of three pounds *per Cent. per Ann.* payable to ſeveral Bankers, and other Patentees, or thoſe claiming under them. Cap. 15.

An Act for the diſcharge out of Priſon ſuch inſolvent Debtors as ſhall ſerve or procure a perſon to ſerve in her Majeſty's Fleet or Army. Cap. 16.

An Act for better charging ſeveral Accomptants with intereſt monies by them receiv'd, and to be receiv'd. Cap. 17.

An Act for the farther explanation and regulation of Privilege of Parliament, in relation to Perſons in publick offices. Cap. 18.

It ſhall be lawful to commence or proſecute any Action or Suit in the Courts of *Weſtminſter*, againſt any Officer or Perſon entruſted or employ'd in the publick Revenue, or any other office or place of publick truſt, for any forfeiture, *Publick Officers excluded privilege of Parliament;*

2 ANNÆ, 1703. ture, miſdemeanor, or breach of truſt relating to ſuch office or place, or any penalty impos'd by Law to inforce the due execution thereof; and no Suit or Execution thereupon, altho' ſuch perſon be a Peer or Member of Parliament, or otherwiſe entitled to privilege of Parliaments, ſhall be ſtaid on pretence of ſuch privilege.

Except as to their perſons. Provided nothing herein ſhall ſubject the perſon of ſuch Officer, being a Peer to be arreſted, but ſuch Proceſs ſhall iſſue, as ſhould have iſſu'd againſt him out of the time of Privilege, nor ſhall ſubject the Perſon of a Member of the Commons Houſe to be arreſted or impriſon'd during the time of Privilege; but Summons, Diſtreſs, infinite or original Bill, Summons, Attachment, and Diſtreſs infinite may be iſſu'd till the party appear.

Cap. 19. An Act for raiſing Recruits for the Land forces and Marines, and for diſpenſing with part of the Act for the encouragement and increaſe of Shipping and Navigation during the preſent war.

Cap. 20. An Act for puniſhing Mutiny, Deſertion, and falſe Muſters, and for the better paying of the Army and quarters, and for ſatisfying divers arrears, and for a farther continuance of the powers of the five Commiſſioners for examining and determining the Accompts of the Army.

3 ANNÆ, 1704. The third year of the Queen began with ſome alterations at Court, the Earl of *Nottingham* reſign'd his place of Secretary of State, and was ſucceeded by *Robert Harley*, Eſq; Speaker of the Houſe of Commons. *William Blathwait*, Eſq; was remov'd from his place of Secretary of war, which was beſtow'd on *Henry St. John*, Eſq; The Staff was taken from the

Alterations at Court.

Earl

Earl of *Jerſey*, Lord Chamberlain of her Majeſty's Houſhold, and given to the Earl of *Kent*, and *Thomas Manſel*, Eſq; was made Comptroller of the Houſhold, in the room of Sir *Edward Seymour*. 3 ANN. A. 1704.

The Republican Party thought fit ſoon after the riſing of the Parliament, to publiſh a ſeditious Libel, which they were pleas'd to entitle, Legion's *humble Addreſs to the Houſe of Lords*; wherein they ſet forth, That the Houſe of Commons having betray'd their Truſt, and given up the peoples Liberties, were become an unlawful Aſſembly, and ought to be depos'd by the ſame rule that oppreſſed ſubjects may, and in all ages have, depoſed bloody and tyrannical Princes. That the tyranny of 500 Uſurpers was no more to be endur'd than one, ſince no number or quality of perſons cou'd make that lawful which in its own nature was not ſo. *The Libel call'd, Legion's* Addreſs to the Houſe of Lords.

They complain'd that the Town of *Maidſtone* had not been permitted to chooſe Repreſentatives the laſt two Seſſions; of the partiality of Committees of Elections; of depriving the Electors of the right of Election in the buſineſs of *Ayleſbury*; of their complimenting the Queen with an hereditary Right when ſhe had but a parliamentary Title, and of their addreſſing her Majeſty to exert her Prerogative againſt the Peers.

They applaud the Lords for vindicating their undoubted Rights invaded by the Commons, and in aſſerting the Rights and Liberties of the people of *England*: They acknowledge their Lordſhips the ſanctuary and ſafety of the Nation, and the glorious inſtruments of preſerving her Majeſty and their undoubted Rights, and aſſure them, that they will adhere to, and faithfully defend their Lordſhips both in their perſons

3 ANNÆ, 1704. ſons and authority, in vindicating their juſt Rights, defending her Majeſty's Perſon, and their own Liberties: In all which they aſſur'd their Lordſhips, that they were reſolv'd, as one man, to live and die with them.

Subſcribed,
Our name is MILLION, *and we are more.*

The Queen reſented this proceeding of the Party, and iſſu'd a Proclamation, offering a reward of 100 *l.* for the diſcovery of the Author, and 50 *l.* for the Printer of the Libel.

Alterations in the Miniſtry in Scotland. In order to induce *Scotland* to come into the Proteſtant Succeſſion, it was thought proper to make ſome alteration in the Miniſtry there; the Earl of *Clomarty* was made Principal Secretary of State, in the room of the Duke of *Queensbury*. Mr. *Alexander Weddenburn* was made Deputy Secretary, in the room of Sir *David Nairne*, and *James Johnſtone*, Eſq; was made Clerk Regiſter, in the room of Mr. *Phillipaugh*.

The Parliament of Scotland *meet.* On the 6th of *July* the Parliament met at *Edinburgh*, and her Majeſty's High Commiſſioner the Marquis of *Twedale* preſented them with the Queen's Letter; wherein ſhe obſerves, that their unhappy diviſions had proceeded to ſuch an height as had encourag'd her enemies abroad to employ their Emiſſaries abroad in order to debauch them from their Allegiance, and render that Kingdom a ſcene of war; but ſhe was willing to hope, that none but men who were obnoxious to the Laws, or of mean and deſperate fortunes, had given ear to them. She was always inclin'd to believe that the late miſtakes did not proceed from any want of duty or reſpect to her, but only from different opinions as to meaſures of Government.

That

That ſhe was reſolved for the ſatisfaction of her people, to grant whatever cou'd in reaſon be demanded for rectifying abuſes, and quieting their minds; and in order to this ſhe had nam'd the Marquis of *Twedale* her Commiſſioner; of whoſe capacity and diſpoſition to ſerve his Country, there cou'd be no doubt, and ſhe had given him authority to conſent to ſuch Laws as they ſhou'd think yet wanting for ſecuring their Government in Church and State: And having done her part, ſhe hop'd they wou'd lay hold of this opportunity of ſhewing the world the ſincerity of the profeſſions they had made her. 3 Anna, 1704.

But the main thing ſhe recommended to them was, their ſettling the Succeſſion of the Crown in the Proteſtant Line, as abſolutely neceſſary for ſecuring their peace and happineſs. As to the terms and conditions of the Government, with regard to a Succeſſor, the Commiſſioner was impower'd to grant whatever cou'd in reaſon be demanded for ſecuring the Sovereignty and Liberties of that Kingdom.

She recommended to them the providing ſupplies for their Forces and Garriſons, the diſcouraging Vice, and encouraging Piety and Trade; and concluded, that unanimity and moderation in all their proceedings, wou'd be of great uſe for bringing to a happy iſſue the important affairs ſhe had laid before them.

The Lord Commiſſioner made a Speech to the ſame effect, adding only, that the whole buſineſs of the Plot ſhould be laid before them, and her Majeſty doubted not but their enquiries into theſe practices wou'd end in their laying down ſolid meaſures for preventing them for the time to come.

The Earl of *Seafield* Lord Chancellor, and the Earl of *Clomarty* Lord Secretary, each of

3 ANNÆ. 1704. of them made a Speech alſo to enforce what her Majeſty had inſiſted upon in her Letter.

But notwithſtanding all the intereſt the Miniſtry cou'd make, the Houſe reſolved not to name a Succeſſor until they had a previous Treaty with *England* for regulating their Commerce, *&c.* On the contrary, a Bill was brought in *for ſecuring the Religion, Liberty, and Independency of that Nation*; which having paſs'd the Houſe, receiv'd the Royal Aſſent, and the Parliament was ſoon after prorogued, having firſt drawn up an Addreſs to her Majeſty as follows,

May it pleaſe your Majeſty,

Addreſs of the Scots *Parliament to the Queen, againſt the* Engliſh *Houſe of Lords Examination of the* Scotch *Plot.*

WE your Majeſty's dutiful and loyal ſubjects, the Noblemen, Barons, and Burgeſſes aſſembled in Parliament, humbly repreſent to your Majeſty our great diſappointment in not having the original papers concerning what was call'd in *England* by the Houſe of Peers the *Scotch* Conſpiracy, laid before us, and the perſons who were examin'd in that matter ſent hither, for which there was application made in the beginning of this Seſſion. We therefore humbly lay before your Majeſty the concern of the whole Nation in this affair, in which the intermeddling of the Houſe of Lords having been declar'd in a Reſolve of this Seſſions, to be an encroachment on the Independency of this Nation, and your Majeſty's Prerogative as Queen of *Scotland*, that you will, in your Majeſty's great wiſdom, take ſuch meaſures as may effectually prevent all ſuch medling for the future.

We do alſo take leave to offer to your Majeſty our opinion, that nothing can obſtruct more our coming into the meaſures that have been recommended by your Majeſty in relation to the Succeſſion, than the Houſe of Lords proceedings to make

make any more encroachments of that nature. And we do humbly entreat your Majeſty, that all the perſons and papers relating to that affair, that have been examin'd in *England*, may be ſent hither at the meeting of the next Seſſions of Parliament, that the matter may be examin'd to the bottom; and thoſe that are unjuſtly accus'd may have right done them, and thoſe who are guilty be puniſh'd according to their demerits. 3 ANNÆ, 1704.

By the Act of ſecurity paſs'd this Seſſion of Parliament in *Scotland*, they ſtatute and ordain, That in caſe of the death of the Queen, her Heirs or Succeſſors, the Parliament then in being ſhall aſſemble and ſit, and if the Parliament happen to be adjourn'd, then they ſhall aſſemble and ſit the 20th day after ſuch death, and if there be no Parliament in being, then the Members of the preceding Parliament ſhall meet at *Edinburgh* the 20th day after ſuch death; and the ſaid Eſtates of Parliament are empower'd to adminiſter the Government. And if the Queen ſhall leave Heirs of her Body, or a Succeſſor be appointed by the Queen and Parliament, the ſaid Eſtates ſhall tender the Coronation Oath to ſuch Succeſſor within thirty days after their meeting. And if the Succeſſor be under age, then the ſaid Eſtates ſhall appoint a Regency until he attain the age of ſeventeen. *Act of ſecurity paſs'd in* Scotland.

And if her Majeſty die without iſſue of her Body, or a Succeſſor appointed as above, the aforeſaid Eſtates are empower'd to nominate a Succeſſor, and to ſettle the Succeſſion of the Crown upon the Heirs of ſuch Succeſſor's Body; the ſaid Succeſſor, and the Heirs of his Body, being of the Royal Line of *Scotland*, and of the true Proteſtant Religion; *provided ſuch Succeſſor be not the Succeſſor to the Crown of* England, unleſs

3 ANNÆ, 1704. unleſs during her Majeſty's Reign there be ſuch conditions of Government enacted as may ſecure the Honour and Sovereignty of this Crown and Kingdom, the freedom of Parliaments, the Religion, Liberty, and Trade of the Nation from *Engliſh* or any foreign influence.

And it is made High Treaſon to acknowledge any perſon to be King or Queen of *Scotland*, not taking the Coronation Oath, or not appointed as aforeſaid.

And until the meeting of the ſaid Eſtates on ſuch death as aforeſaid, the Adminiſtration of the Government ſhall be by ſuch of the Members of the ſaid Eſtates, and ſuch of the Privy Council as are then at *Edinburgh*. And all civil Commiſſions granted during pleaſure ſhall be void, except Sheriffs, Stewards, and Juſtices of Peace.

And for a farther ſecurity to the Kingdom, it is enacted, That the whole Proteſtant Heretors, and all the Burghs, ſhall provide themſelves with Fire-Arms for all the ſenſible men who are Proteſtants, and the ſaid Heretors and Burghs ſhall diſcipline their ſaid ſenſible men once a month at leaſt.

The *Scots* were ſo ſet upon this Bill, that they voted a four months Ceſs or Tax (beſides the two months Ceſs they had given) upon the paſſing of it; and this the Miniſtry in *England* made their excuſe ſome time afterwards for ſuffering the Royal Aſſent to be given to a Bill, which upon the matter was little leſs than putting the *Scots* in a capacity of compelling the *Engliſh* by force to ſubmit to their terms. Some wou'd have this a neceſſary piece of policy to prevent a Rebellion; for which that Nation was ripe at that time: But it was an odd way to prevent a Rebellion, by putting arms into their hands;

hands; when they were arm'd and diſciplin'd as the Act directed, they wou'd not be leſs formidable than before. 3 ANNÆ, 1704.

But to return to *England*; in the beginning of *April* Count *Wratiſlaw*, the Emperor's Envoy to the Queen, preſented a Memorial to her Majeſty, ſetting forth, That the *French* having join'd the Elector of *Bavaria*, and the *Hungarians* broken out into Rebellion, the Emperor's Hereditary Countries were in great diſtraction; and if ſome ſpeedy aſſiſtance were not afforded him ſuitable to the danger, an entire Revolution and Devaſtation of *Germany* wou'd follow. He therefore entreated that her Majeſty wou'd be pleaſed to order the Duke of *Marlborough* to concert with the States-General ſome ſpeedy meaſures for the relief of the Empire; or that her Majeſty wou'd permit his Grace to march with part of the troops in her Majeſty's pay to preſerve *Germany* from a total Subverſion; it not being juſt in it ſelf, or advantageous to the common Cauſe, that the Queen's troops ſhou'd remain on the Frontiers of *Holland*, which were now ſufficiently ſecur'd, while the Empire was deſtroy'd with fire and ſword. *Memorial of the Emperor's Miniſter of the diſtreſſes of the Empire.*

To this Memorial the Queen return'd an anſwer by Mr. Secretary *Hedges*, That ſhe had order'd the Duke to concert the moſt effectual meaſures with the States-General for ſending ſpeedy ſuccours to his Imperial Majeſty and the Empire, in order to reſcue it from the imminent danger it was expos'd to.

And accordingly the Duke embark'd for *Holland*, and arriv'd at the *Hague* the 21ſt of *April*, N. S. and having repreſented to the States the danger the Empire and all Europe were threatned with if an immediate check were not given to the *French* and *Bavarians* in *Germany*; and having

3 ANNÆ. 1704.

ing ſhewn that the Allies being now entire maſters of the *Maeſe*, and all *Spaniſh Guelderland*, their Frontiers were ſufficiently ſecur'd, the *Dutch* at length came into the project for lending a body of troops immediately for the relief of the Empire. The troops deſign'd for this expedition being order'd to rendevouz, and all proper meaſures being concerted, the Duke ſet forward for *Maeſtricht*. On the 16th of *May* his Grace join'd the Detachment commanded by Brigadier *Ferguſon*, and on the 18th the *Engliſh* forces commanded by General *Churchill*; and as he ſeem'd to bend his march towards *Coblentz*, the *French* in *Flanders* imagin'd his Grace deſign'd to open the Campaign with the ſiege of *Traerbach*: Whereupon they gave out that they wou'd ſit down before *Huy*, and accordingly order'd a Detachment of their army that way; hoping thereby to divert the Duke from that enterprize: but the *French* were ſtill more alarm'd when they found the Duke intended to march towards the *Danube*. On the 5th of *June* the Count *de Frieze* met the Duke upon his march, being ſent by Prince *Lewis* of *Baden*, to acquaint him that the Elector of *Bavaria* was ſtrongly encamp'd at *Ulm*, on the other ſide the *Danube*; and ſoon after the Duke receiv'd intelligence that Prince *Eugene* of *Savoy* was arriv'd in the Imperial Camp. On the 9th the Duke march'd with the horſe from great *Gardach* to *Mondelſheim*, where he halted the next day; and Prince *Eugene* and Count *Wratiſlaw* came and din'd at his Grace's quarters. The next day his Highneſs march'd with the Duke to great *Heppach*; where his Grace having order'd his Army to be drawn up in Battalia, the Prince expreſs'd his ſurprize to find the troops in ſo good condition after ſo long and expeditious a march. My Lord, ſaid he, I never

The Duke of Marlborough's *march to the* Danube.

never ſaw better Horſes, better Cloaths, finer Belts and Accoutrements; yet all theſe may be had for money; but there is a ſpirit in the looks of your men which I never yet ſaw in my life. His Grace anſwer'd, That ſpirit, Sir, is inſpir'd by your Highneſs's preſence. On the 13th Prince *Lewis* of *Baden* came to wait upon his Grace, and the next day din'd with him and Prince *Eugene*; and the three Generals having concerted the future operations of the Campaign, Prince *Lewis* return'd to his Army on the *Danube*, and Prince *Eugene* ſet out poſt for *Philipſburgh*, to command the *Imperial* Army on the *Rhine*. On the 16th the Duke march'd with the Horſe from *Eberſpach* to *Groſſen Seinſen*, his other Troops marching in two bodies under the Command of the Prince of *Heſſe* and Monſieur *Bulow*, but encamped in ſuch a manner that the whole might join Prince *Lewis* in a day's march. On the 22d the Army made a motion and join'd Prince *Lewis*. 3 Annæ. 1704.

On the 29th the Generals held a Council of War, wherein it was reſolv'd to draw near *Donawert*, and the 31ſt the Confederate Army march'd, and encamped with their right at *Lanthautſen*, and their left at *Balmerſhoffen*. The firſt of *July* they continued their march in ſight of the Elector of *Bavaria*'s Army at *Dillingen*, and encamped with their right at *Amerdingen*, and their left at *Onderingen*. The Elector of *Bavaria* hereupon ſent a great detachment of his beſt Troops to reinforce Count *d'Arco*, who was poſted at *Schellenbergh* a riſing ground near *Donawert*, where he had caſt up Intrenchments, and employed ſome thouſands of Pioneers to cover that place. The Duke of *Marlbro'* notwithſtanding reſolv'd to drive the enemy from this important Poſt, and accordingly the neceſſary

3 ANNÆ, 1704. sary orders were given for the attack; of which we receiv'd the following account, *viz.*

Battel of Schellenbergh.

The Elector of *Bavaria* judging by our march that our Generals intended to attack *Donawert*, made a detachment of his beſt Troops to reinforce Count *d'Arco*, poſted near that place at *Schellenbergh*, where he had caſt up great Intrenchments, and had ſome thouſands of Pioneers employed for ſeveral days to perfect thoſe works which cover'd *Donawert*; but notwithſtanding the ſame, and the number of Troops which defended them, the Duke of *Marlborough* reſolv'd to attack the enemy, and the neceſſary orders were given to the Army. The 2d his Grace advanc'd accordingly at three in the morning with a detachment of 600 foot and 30 Squadrons of *Engliſh* and *Dutch*, beſides 3 Battalions of *Imperial* Grenadiers, and the reſt of the Army follow'd with all poſſible diligence; but the way being very bad and long, that detachment could not come to the river *Werntz* or *Wermitz*, which runs by *Donawert*, 'till about noon, and it was three of the clock before we could get over that River with our Artillery. The Duke having paſſed the ſame at the head of the Cavalry viewed the Intrenchments, and made the neceſſary diſpoſitions for the attack, and in the mean time our Artillery begun to thunder againſt the enemy, who anſwer'd us briſkly from their batteries, and made us judge by their diſpoſitions that the Action wou'd be very hot. Theſe preparations being over, the *Engliſh* and *Dutch* began the attack with an unparallell'd intrepidity before the *Imperialiſts* came up, and met with a vigorous defence; but after an engagement of about an hour and an half, when the *Imperialiſts* arriv'd, the Intrenchments were forc'd, and our Men made a terri-

ble

ble ſlaughter of the Enemy. Lieutenant General *Goor*, who commanded the firſt detachment of foot, was kill'd, as was alſo Major General *Beinheim*, both in the *Dutch* ſervice, and are very much lamented. The Horſe and Dragoons ſhar'd the glory of the day with the Infantry, and the firſt detachment of the ſame was commanded by Lieutenant General *Lumley*, and Lieutenant General *Hompeſch*. All the Confederate Troops that engaged behav'd themſelves with a great deal of bravery; but as the attack was begun by a Battalion of the *Engliſh* foot Guards, and the Regiments of *Orkney* and *Ingoldſby*, 'tis not doubted but they have ſuffered more than any others. The forces of the Enemy conſiſted of 2 Battalions of Guards of the Elector, 1 of Grenadiers, 13 other *Bavarian* Battalions, 5 *French*, 4 Regiments of *Cuiraſſiers*, making 13200 Men, and 3 Squadrons of Dragoons, all choice Troops, commanded in chief by Count *d'Arco*, and under him by three *Bavarian* and two *French* Lieutenant Generals. As ſoon as we had poſſeſs'd the Intrenchments, the Enemy ran away in great confuſion to *Donawert* and the *Danube*, but being cloſely purſued by our Horſe and Dragoons, the greateſt part follow'd the example of their Generals, who flung themſelves into that River, and ſwam over the ſame. The loſs of the Enemy is computed to be about 6000 Men, but this is ſtill uncertain. We took 16 pieces of Canon and 13 Colours or Standards. The Duke of *Marlborough* has gain'd a great honour in this Action, having given his orders with an extraordinary preſence of mind, and expos'd his perſon to the greateſt danger. Prince *Lewis* of *Baden*, who likewiſe perform'd the part of a brave and experienced General, was wounded, as was alſo the Heredi- 3 Annæ, 1704.

3 ANNÆ, 1704. tary Prince of *Heſſe Caſſel*, who gave ſignal proofs of his great courage on this occaſion. Count *Stirum* was dangerouſly wounded, General *Thungen*, Count *Horn*, Major General *Wood*, Major General *Palandt*, and ſeveral other Officers of Note were alſo wounded. Yeſterday morning the Army march'd toward *Donawert*, of which his Grace took poſſeſſion this day. The *Bavarian* Garriſon quitted the ſame upon his approach, and broke down the Bridges, but had not time to deſtroy their Ammunition and Proviſions, as they were order'd to do, and had already fill'd the Houſes with Straw to burn the place. The Elector of *Bavaria* hearing of the defeat of his Troops, repaſs'd the *Danube* with the utmoſt precipitation, to march as 'tis thought towards the *Lech*, leſt we ſhould cut off his communication with his own Territories, by marching over the *Danube*, as our Generals ſeem reſolved to do.

The Duke of MARLBRO's *Letter to the* States-General *concerning the Action at* Schellenbergh.

High and mighty LORDS,

Duke of Marlbro's *Letter to the* States-General, *&c.*

UPon our arrival at *Onderingen* on *Tueſday*, I underſtood that the Elector of *Bavaria* had detach'd the beſt of his foot to guard the Poſt of *Schellenbergh*, where he had been caſting up Intrenchments for ſome days, becauſe it was of great importance; therefore I reſolv'd to attack him there, and march'd yeſterday morning by three a clock at the head of a detachment of 6000 foot, and 30 Squadrons of our Troops, and 3 Battalions of *Imperial* Grenadiers; whereupon the Army begun their march to follow us; but the way being very long and bad, we could not get to the river *Werntz* 'till about noon,

noon, and 'twas full three a clock before we could lay Bridges for our Troops and Canon; so that all things being ready, we attack'd them about six in the evening; the attack lasted a full hour. The Enemies defended themselves very vigorously, and were very strongly intrench'd, but at last were oblig'd to retire by the valour of our Men; and the good God has given us a compleat Victory. ANNÆ, 1704.

We have taken 15 pieces of Canon, with all their Tents and Baggage. The Count *d'Arco*, and the other Generals that commanded them, were oblig'd to save themselves by swimming over the *Danube*. I heartily wish your High and Mightinesses good success from this happy beginning, which is so glorious for the arms of the Allies, and from which, I hope, by the assistance of Heaven, we may reap many advantages. We have lost very many brave Officers, and we cannot enough bewail the loss of the Sieurs *Goor* and *Beinheim*, who were kill'd in the Action. The Prince of *Baden* and General *Thungen* are slightly wounded. Count *Stirum* has received a wound cross his body; but it's hop'd he will recover. The Hereditary Prince of *Hesse Cassel*, Count *Horn* Lieutenant General, and the Major Generals *Wood* and *Pallandt* are also wounded. I can at present give your High Mightinesses no more particulars, but will not fail to do it the first opportunity.

A little before the attack begun, the Baron of *Moltenburgh*, Adjutant General to Prince *Eugene*, was sent to me by his Highness, with advice, that the Marshals of *Villeroy* and *Tallard* were march'd to *Strasburgh*, having promis'd a great reinforcement to the Elector of *Bavaria* by way of the *Black-Forest*; and I had advice by another hand, that they design'd to send him 50 Batta-

3 ANNÆ, 1704. lions and 60 Squadrons of their beſt Troops. Since I was witneſs how much the Sieur *Mortagne* diſtinguiſh'd himſelf in this whole Action, I cou'd not omit doing him the juſtice to recommend him to your High Mightineſſes, to make up to him the loſs of his General; wherefore I have pitch'd upon him to bring this to your High Mightineſſes, and to inform you of the Particulars. I remain, *&c.*

The Duke of MARLBOROUGH.

P. S. The detachment aboveſaid was ſupported by 15 Battalions of the left, and as many of the right wing.

The Count *D'Arco*, General of the *Bavarians*, gave the following account of this Action to the Elector, *viz.*

Illuſtrious SIR,

Count D'Arco's *account of the Action.*

I Arriv'd here yeſternight, according to your Highneſs's command, and found the Intrenchments far from being compleated, and likewiſe too large to be defended by 7000 Men; therefore I was obliged to ſend to your Highneſs for more Troops, who came too late, becauſe of the great Rain and bad ways. Next morning I ſet the Pioneers and Soldiers at work, and came by break of day with three of the King's Engineers who undertook it, to ſee how it went on. Three days were little enough to have finiſh'd 'em; but that forenoon we were hindred by the approach of the Enemy, of whom I had not the leaſt notice, 'till they were diſcovered from a neighbouring Hill, marching, as I thought, to *Donawert*. This made me forward the work with more diligence; and about four a clock in the

the afternoon the Enemy was come ſo near, that I perceiv'd they deſign'd an attack: Upon which I drew up my Men in order of Battel, with the help of Count *Monaſterolle*, who continued with me the whole day, and did all that could be expected from a faithful and brave Officer. I plac'd 14 of your Highneſſes Battalions in the front of the firſt and ſecond Lines, and four *French* Regiments and ſix Battalions on the right and left, and poſted my Horſe and Dragoons on the right, becauſe that was the beſt ground. Then I began to fire with my great guns on the front of the Enemies foot, which advanc'd nearer and nearer in ſix Columns, ſupported by many Squadrons of their Horſe on the rear, beſides others extending to the Hill. The Enemy march'd firſt to the Wood on the right, thinking to break thro' there, and then to attack the Intrenchments on all ſides; but finding it impracticable to break thro' the Wood, they march'd again to the corner of the Line in the view of the City, and there fell on with a great fire from the *Engliſh* Battalions, and abundance of Canon on their right. 3 Annæ, 1704.

Your Highneſs's Troops and Grenadiers were poſted in the mouth of the attack, and after their fire fell twice out upon the Enemy with their Bayonets in their Pieces, and made great ſlaughter. The Enemy found ſuch gallant reſiſtance, that all their firſt Ranks were kill'd, but ſpeedily ſupplied by others; and your Highneſs's Troops return'd to their Trenches with as much courage as they went out of them. The fire increas'd on both ſides, and as often as the Enemies Battalions came on they were repuls'd, and many of them were kill'd by the great fire from our Trenches. So that in two hours time they gain'd no ground upon us, and ſeem'd in-

3 ANNÆ, 1704. clinable to retire, without our ſuſpecting in the leaſt the following Rencounter that happen'd.

I ſent three Battalions of the King's Troops, and one of your Highneſs's to the Town, with orders to the commanding Officer there to poſt them in the Cover'd Way where it join'd the Intrenchment, from whence they might have made ſuch a fire that we ſhould have been well enough cover'd on the left, where we had only three weak Battalions; but my Command was not obeyed; and the Enemy being aware of this, broke into the Intrenchments before I had notice of it; ſo that I came thither too late with two Squadrons of Dragoons: There was nothing then left me to do but to think of retiring to prevent my being encompaſs'd. Your Highneſs's Troops endeavour'd to eſcape by the Bridge on the *Danube*, and the Gate of the Town next to the *Danube*; but the Bridge was to our great misfortune unhappily broke down by the croud, and the Gate was kept ſhut by the Governor's commands a long time, tho' I deſired it might be open'd, and ſent him notice that I was on the left with the retiring Troops. A Regiment of Dragoons coming thither on foot made a brave reſiſtance, and kept the Enemy off 'till the reſt retir'd with conveniency.

Thoſe on the right being too far from the Town, and knowing the Bridge was broke, retir'd toward the Wood of *Neuburgh*, their Commanders ſhewing as much gallantry in the retreat as they had done in the fight, and retir'd without loſs, tho' the Enemy purſu'd them to the firſt Wood, but finding they cou'd not overtake them return'd to their body; ſo that I don't believe that in this Action (wherein the foot ſuffer'd moſt, and the Enemy has had a great loſs) there fell above 500 of the King's Troops and

and your Electoral Highneſs's, and about 400 were wounded, moſt of whom are eſcaped to the City. But the greateſt loſs, and which I can never enough bewail, is that of the great number of Officers of both Nations. One Letter is not enough to contain the praiſes of thoſe that deſerve it; but I aſſure your Electoral Highneſs, that not one Officer or Soldier fail'd of what could be wiſh'd or expected from them on this occaſion, and particularly the Regiment of *Bear*, and the Battalion of *Nivernois*, who did all that was poſſible in the Battel, and retir'd thro' the Town with their Bayonets in their Pieces, tho' the Enemy was on their flank. They were led by the Marquiſs *de Montandre*, who gave great proofs of his Conduct and Courage. This is, illuſtrious Sir, the true and upright relation that I thought my ſelf oblig'd to ſend my gracious Maſter. 3 Annæ 1704.

In this Action it was computed that 5000 Men at leaſt fell on each ſide; but the effects of the Victory were very conſiderable, for the Confederates hereby open'd a paſſage into the heart of the Duke of *Bavaria*'s Country, and the Elector himſelf was oblig'd to retire under the Canon of *Auſburgh*. After the taking of *Schellenbergh*, *Donawert* not being tenable, the Elector ſent orders to the Garriſon to ſet fire to the Town, and burn their Bridges and Magazines, and retire; but the Confederates advancing into the Suburbs ſav'd the Town from being burnt, and the *Bavarians* made ſuch a precipitate retreat, that they left 2000 ſacks of Meal, and great quantities of Oats, and other proviſions, behind them.

The 5th of *July* the Confederate Army paſs'd the *Danube* over ſeveral Bridges of Pontons near

3 ANNÆ, 1704. *Donawert*, and encamp'd at *Mertingen* in the Elector of *Bavaria*'s Country: And the 6th was obſerved as a day of Thankſgiving in the Army for their ſucceſs: The Duke of *Marlbro'*, not to give the Enemy time to recover from their conſternation, immediately commanded his Troops to paſs the *Lech*; whereupon the Garriſon of *Neuburgh* abandon'd that place, and retir'd to *Ingoldſtat*, and the Duke of *Marlbro'* order'd a detachment to take poſſeſſion of *Neuburgh*: And the Enemy having left a Garriſon in *Rain*, a little Town about half a League from the *Lech*, it was inveſted by the Confederates.

On the 13th of *July* the Count *de Vehlen*, General of the *Palatine* Horſe, came to the Confederate Army from Prince *Eugene*, with advice, that the Marſhals *Villeroy* and *Tallard*, with 45000 men, had paſs'd the *Rhine* above Fort *Kiel*, giving out they wou'd join the Elector of *Bavaria*, which it was not doubted but one of them at leaſt wou'd attempt, and therefore his Highneſs deſir'd a reinforcement of Horſe to enable him to obſerve the Enemies motions. Thereupon Prince *Maximiliam* of *Hanover* was detach'd with 30 Squadrons of *Imperial* Horſe to join the Prince. The 16th the Garriſon of *Rain* deſir'd to capitulate, and march'd out the next day, being conducted by a Party of Horſe to the Elector of *Bavaria*'s Camp near *Auſburgh*; and orders were given for providing Magazines at *Neuburgh* and *Rain* for the ſubſiſtence of the Confederate Forces. The Army march'd again, and on the 23d encamp'd with their right at *Wolfurtſhauſen*, and their left at *Ooſtmaring*, (the Town of *Friedberg* being in the center of the line) within a league of *Auſburgh*, whereby the Elector of *Bavaria*'s communication with his own Country was cut off.

The

3 ANNÆ, 1704.

The Confederate Generals thought fit at this time to propoſe to the Elector of *Bavaria* terms of accommodation, which were in a manner agreed on; but upon advice that Marſhal *Tallard* had paſs'd the *Black Foreſt*, and was coming to join him, he ſent to acquaint Count *Wratiſlaw*, the Emperor's Miniſter, that ſince the *French* King made ſuch powerful efforts to ſupport him, he thought himſelf oblig'd in honour to remain firm to that Alliance. This procedure was ſo reſented by the Duke of *Marlborough*, that he detach'd 30 Squadrons of Horſe and Dragoons to plunder and burn the Country of *Bavaria* to the walls of *Munich* his capital City. Whereupon Deputations came from ſeveral places to the Duke of *Marlborough*, offering to pay Contributions to ſave them from military execution: To whom his Grace anſwer'd, The Queen of *England*'s forces were not come into *Bavaria* to raiſe money, but to bring their Prince to reaſon. And the orders for burning and ravaging that Country were put in execution with the utmoſt ſeverity as far as *Munich*.

Terms propos'd to the Elector of Bavaria, *which he refuſes.*

Bavaria *ravag'd by the Confederate Troops.*

It being found impracticable to attack the Elector in his fortified Camp under the Canon of *Auſburgh*; it was reſolv'd to beſiege *Ingoldſtat*. Whereupon Prince *Lewis* ſat down before that place, while the Duke of *Marlbro'* was to cover the ſiege with his auxiliary forces; but Marſhal *Tallard* having join'd the Elector of *Bavaria* with a body of 22000 Horſe and foot, beſides the *French* Troops that had join'd him before under the Command of Marſhal *Marſin*; on the 6th of *Auguſt* Prince *Eugene* came to the Duke's Army to confer with him and Prince *Lewis* of *Baden*; it was agreed, that Prince *Lewis* ſhou'd continue the ſiege of *Ingoldſtat* with his Army, while Prince *Eugene* and my Lord Duke obſerv'd the Elector of *Bavaria*. Prince

Ingoldſtat *beſieg'd.*

2 ANNÆ, 1703. Prince *Eugene* being return'd to his Army, receiv'd intelligence that the Enemy had paſs'd the *Danube*, and had a deſign to fall upon him ſeparately; whereupon he diſpatch'd an Expreſs to his Grace, to deſire him to march and join him. The Expreſs return'd with an account that my Lord Duke had receiv'd the ſame advice, and his Grace had been upon the march ever ſince two a clock in the morning, and that 20 Battalions which he had ſent before under the Command of General *Churchill* were at hand; and accordingly General *Churchill* came into the Camp that morning, and in the evening my Lord Duke arriv'd with his whole Army. Both Armies being join'd, they encamped between the Villages of *Munſter* and *Apperſhoven*.

The 12th of *Auguſt*, N. S. the Generals went out to take a view of the Enemy, and by their glaſſes diſcover'd that their whole Army was in motion, and their Horſe marching forward; but they obſerv'd that the advanc'd Squadrons of the Enemy ſtop'd ſhort when they perceiv'd ours. About noon they ſaw the Quarter-maſters of the Army ſet up their Camp Standards, and mark out a Camp from *Bleinheim* to *Lutzingen*; whereupon the Generals return'd, and order'd out the Pioneers with a ſtrong guard to open the ways, and lay Bridges over a little Rivulet in the front, for the paſſage of the Army. About four in the afternoon the Confederate Generals cou'd diſcern plainly from the Tower of *Thiſſingen* the Enemies Tents ſet up, and that they were poſſeſs'd of a very advantagious Camp, their right being flank'd by the *Danube* and the Village of *Bleinheim*, and their left by a Wood and the Village of *Lutzingen*, and that they had a Rivulet before them whoſe banks were high, and the Meadows marſhy, ſo that it was at firſt thought

thought impaſſible, as it afterwards prov'd to be in ſeveral places: It was look'd upon to be a very hardy attempt to attack the Enemy in this ſituation; but there ſeem'd to be an indiſpenſible neceſſity of doing it before they ſhou'd fortify themſelves in that poſt; for beſides that the Confederate Army wou'd ſoon have wanted forage, Marſhal *Villeroy* was upon the point of making an irruption into the Country of *Wirtembergh*, and might have been join'd by detachments from the Elector of *Bavaria*, whereby they wou'd have eſtabliſh'd a free communication from the *Rhine* to the *Danube*, and have forc'd all to ſubmit as far as the *Mein*, while the Elector from his Camp at *Hochſtet* might have ruin'd a great part of the Circle of *Franconia*; ſo that the Allies ſhou'd not have been able to have found ſubſiſtence or winter quarters upon the *Danube*, or in upper *Germany*. Upon theſe conſiderations the Prince and Duke reſolv'd to engage the Enemy, and ſent away their baggage to *Retlingen*, a Village between *Munſter* and *Donawert*, and the ſame night made all the neceſſary diſpoſitions for the attack.

3 ANNÆ, 1704.

The Allies under a neceſſity of fighting.

The Confederate Army conſiſted of 64 Battalions and 166 Squadrons, and had a train of 52 pieces of Canon. The Enemies Army conſiſted of 82 Battalions and 147 Squadrons, and they had with them a train of about 100 pieces of Canon. On the right were the Marſhal *Tallard* and the *French* Troops he brought with him, and on the left the Elector with his *Bavarians*, and the *French* under the Command of Marſhal *Marſin*.

On the 13th of *Auguſt*, N. S. 1704, the Battel begun; of which the Duke of *Marlbro'* gives the following account in a Letter to Mr. Secretary *Harley*.

The battel of Hochſtet.

SIR,

3 ANNÆ, 1704.

Duke of Marlbro's *Letter to Mr. Secretary* Harley.

SIR,

I Gave you an account on *Sunday* of the ſituation we were then in, and that we expected to hear the Enemy would paſs the *Danube* at *Lawingen* in order to attack Prince *Eugene*. At eleven that night we had an Expreſs from him, that the Enemy were come over, and deſiring he might be reinforc'd as ſoon as poſſible; whereupon I ordered my Brother *Churchill* to advance at one a clock in the morning with his twenty Battalions, and by three the whole Army was in motion: For the greater expedition, I ordered part of the Troops to paſs over the *Danube*, and to follow the march of the twenty Battalions, and with moſt of the Horſe and the Foot of the firſt line. I paſſed the *Lech* at *Rain*, and came over the *Danube* at *Donawert*; ſo that we all join'd the Prince that night, intending to advance and take this Camp of *Hochſtet*. In order whereto we went out on *Tueſday*, early in the morning, with forty Squadrons to view the ground, but found the Enemy had already poſſeſs'd themſelves of it. Whereupon we reſolv'd to attack them, and accordingly we march'd between three and four yeſterday morning from the Camp at *Munſter*, leaving all our Tents ſtanding. About ſix we came in view of the Enemy, who we found did not expect ſo early a viſit. The Canon began to play about half an hour after eight. They formed themſelves in two Bodies, the Elector with Monſieur *Marſin* and their Troops on our right, and Monſieur *de Tallard* with all his on our left; which laſt fell to my ſhare. They had two little Rivulets, beſides a Moraſs, before them, which we were oblig'd to paſs over in their view, and Prince *Eugene* was forc'd to take a great compaſs to come

come to the Enemy; ſo that it was one of the clock before the Battel began. It laſted with great vigour 'till Sun-ſet, when the Enemy were oblig'd to retire; and, by the bleſſing of God, we obtain'd a compleat Victory. We have cut off great numbers of them, as well in the Action as in the Retreat, beſides upwards of thirty Squadrons of the *French*, which I puſh'd into the *Danube*, where we ſaw the greateſt part of them periſh; Monſieur *de Tallard*, with ſeveral of his General Officers, being taken priſoners at the ſame time: And in the Village of *Bleinheim*, which the Enemy had intrench'd and fortified, and where they made the greateſt oppoſition, I oblig'd 26 entire Battalions, and 12 Squadrons of Dragoons, to ſurrender themſelves priſoners at diſcretion. We took likewiſe all their Tents ſtanding, with their Canon and Ammunition, as alſo a great number of Standards, Kettle Drums and Colours in the Action; ſo that I reckon the greateſt part of Monſieur *Tallard*'s Army is taken or deſtroy'd. The bravery of all our Troops on this occaſion cannot be expreſs'd, the Generals, as well as the Officers and Soldiers, behaving themſelves with the greateſt courage and reſolution. The Horſe and Dragoons were oblig'd to charge four or five ſeveral times. The Elector and Monſieur *de Marſin* were ſo advantagiouſly poſted, that Prince *Eugene* could make no impreſſion on them 'till the third attack at near ſeven at night, when he made a great ſlaughter of them; but being near a Wood ſide, a good body of *Bavarians* retir'd into it, and the reſt of that Army retreated towards *Lawingen*, it being too late, and the Troops too much tir'd, to purſue them far. I cannot ſay too much in praiſe of that Prince's good conduct, and the bravery of his Troops upon this occaſion. You will pleaſe

3 Annæ, 1704.

to

3 ANNÆ, 1704. to lay this before her Majeſty and his Royal Highneſs, to whom I ſend my Lord *Tunbridge* with the good news. I pray you will likewiſe inform your ſelf, and let me know her Majeſty's pleaſure, as well relating to Monſieur *de Tallard*, and the other General Officers, as for the diſpoſal of near 1200 other Officers, and between 8 and 9000 common Soldiers, who being all made priſoners by her Majeſty's Troops, are entirely at her diſpoſal. But as the charge of ſubſiſting theſe Officers and Men muſt be very great, I preſume her Majeſty will be enclin'd that they be exchanged for any other priſoners that offer.

I ſhou'd likewiſe be glad to receive her Majeſty's directions for the diſpoſal of the Standards and Colours, whereof I have not yet the number, but gueſs there cannot be leſs than an hundred, which is more than has been taken in any Battel theſe many years. You will eaſily believe, that in ſo long and vigorous an Action the *Engliſh*, who had ſo great a ſhare in it, muſt have ſuffer'd as well in Officers as Men, but I have not the particulars. I am,

SIR,

Your moſt obedient humble Servant,

MARLBOROUGH.

The *Paris Gazetteer* was pleas'd to give the following account of this Battel.

Account of the Battel of Hochſtet *in the* Paris Gazette.

Since the Elector of *Bavaria* arriv'd with the Army at *Dutlingen*, we have receiv'd a more faithful and true account of the Battel of *Hochſtet* than what the Enemies publiſh'd, and is in ſubſtance as follows. The Enemies being inform'd that the *French* and *Bavarian* Armies had

paſſed the *Danube* at *Lavingen* and *Dillingen*, they abandon'd their deſign of beſieging *Ingolſtat*, and aſſembled all their Troops except thoſe that were left on the *Rhine*, and ſo were ſuperior to us by about 40 Squadrons. The two Armies march'd towards one another, and at ſix in the morning met in Battalia on two Lines, within half a league of *Hochſtet*. The right commanded by Marſhal *de Tallard*, extended as far as the *Danube*, and the Infantry, which was in the centre, commanded by the Marquiſs *de Blainville*, had a Village before them, the Houſes of which, and the adjacent Hedges, they poſſeſs'd themſelves of. The body of the Battel and the left wing, had on one ſide a Mountain and a Wood, and a Village before them, which was burnt. The two Armies were ſeparated by a Brook of two foot broad, that run along the Villages, whoſe banks were marſhy, but were dried up by the great heats. At eight a clock the Artillery began to play, and that of Marſhal *de Tallard* was always ſuperior to the Enemies, and put their left wing twice into diſorder as they were forming their lines. At ten a clock they attempted to paſs the Brook, but were repuls'd with great loſs. At eleven the *Engliſh* Horſe attack'd thoſe of the right wing, who broke them and drove them back to their foot in preſence of the Elector of *Bavaria*, who haſtened thither. From thence he preſs'd on to the foot that lin'd the Village and Hedges, and had the advantage of thoſe of the Enemies. During this time the *Engliſh* charg'd the *Gens d'Arms* afreſh, and broke them. His Electoral Highneſs rallied them, and being ſuſtain'd by the Cavalry, the Enemies were again repuls'd; but the left wing, and the foot commanded by the Marquiſs *de Blainville*, had in five ſeveral attacks already 3 Anna 1704.

3 ANNÆ, 1704. ready pierc'd through and broke the right wing of the Enemy with great ſlaughter, gain'd their Artillery, and took many Standards and Colours, ſo that the Elector thought the Victory ſure; but at the ſame time he had advice, that the Cavalry of the right wing having been attacked by the Enemies with freſh Troops, were entirely defeated; and that having paſs'd the Brook, they had fill'd the ground our Troops had before with their own forces. Then his Electoral Highneſs finding night approach, and fearing to be ſurrounded, thought it time to retreat. He ſent notice to the Infantry, which was ſtill near the Village, to the number of 27 Battalions and 4 Regiments of Dragoons, who had always beat the Enemies, to retire, which they might have eaſily done, but their Commanders reſolv'd to keep their poſt, which occaſioned the loſs of the Battel, the Enemies having 'till then loſt a great many more men than the Elector of *Bavaria*; but they were more than recompens'd by the taking of thoſe 27 Battalions and 4 Regiments of Dragoons, which were afterwards oblig'd to ſurrender. The reſt of the Army, by the care of Monſieur *de Marſin*, retir'd in good order, without breaking any one Battalion or Squadron, often turning and making fierce diſcharges on the Enemies, who did not follow them long. We arrived in this manner at *Lavingen*, where part of the Cavalry of the right wing, with ſome foot, had rallied. The Baggage was not loſt as the Enemies gave out, and they have taken but 25 or 30 pieces of Canon. As to our Troops, beſides the priſoners, who are 10000 in number, including Officers, we had but 12000 killed and wounded; whereas the Enemies had, according to their own account, above 16000 killed and wounded; and we took from them 36 Standards

and Colours, and four pair of Kettle Drums. The Elector of *Bavaria* left the wounded and a good Garriſon in *Ulm*, and moſt of his Infantry, with 23 Squadrons of Horſe and Dragoons in *Bavaria*, and continu'd his march up the *Danube* to *Dutlingen*; where he arriv'd on the 20th, being join'd on his way by 12 *French* Battalions, and ſome Squadrons. M. de *Villeroy* march'd on the 21ſt with his Army, and a great Convoy of Proviſions to meet him, and join'd him on the 25th with part of his Cavalry, having left the Infantry at *Hornberg*. 3 ANNÆ, 1704.

The Marſchal de Marſin's *Letter to the King of* France, *concerning the Battel at* Hochſtet.

ON the 10th in the morning we had advice that Prince *Lewis* of *Baden*, with 24 Battalions and 31 Squadrons were detach'd from the Enemies Camp to beſiege *Ingolſtat*; upon which we reſolv'd to march to *Lavingen*; and the Poſt of *Hochſtet* being found moſt advantageous, the Elector encamp'd his Army there. On the 12th we called a Council of war, to conſider whether we ſhould ſtay for the Enemy, who was marching towards us, and reſolv'd we ſhould. On the 13th in the morning the Armies came in ſight of one another, Mareſchal *Tallard* and his troops had the right, and the Elector and I were on the left. Prince *Eugene* was on the Enemies right, and the Duke of *Marlborough* on their left. The Enemy ſpent the whole morning in movements to draw themſelves up with advantage, and at nine a clock the canon began to play on both ſides. About one a clock the Battel grew hot, the Elector broke the Enemies right ſeveral times, but they immediately rallied again: their foot ſtood bravely to it, being ſup-

3 ANNÆ. 1704. ported by their horſe. Our right did likewiſe make ſeveral advantageous charges upon their left, but about ſix at night the Enemy paſs'd a Moraſs, which our Engineers thought unpaſſable, and attack'd our right on the flank, and broke the ſame. Twenty ſix Battalions, and four Regiments of Dragoons threw themſelves into the Village of *Blenheim*; where they were encompaſs'd by the Enemy and oblig'd to ſurrender.

When the Elector ſaw this unhappy reſult, we reſolv'd to retire with our left and the body of the Battel to *Ulm*. Some of the Cavalry of the right join'd us; but ſeveral Squadrons not being able to come up with the body, threw themſelves into the *Danube*, where Mareſchal *de Tallard* was taken.

We arrived yeſternight at *Ulm* with 31 Battalions and 62 Squadrons, without being purſu'd, and have ſav'd 18 canon, with part of the baggage: Of your Majeſty's and the *Bavarian* troops there are 10000 kill'd, beſides what are taken; but we have very many wounded: Abundance of Officers and Soldiers, who have eſcap'd from the Enemy, join us continually. I ſhall ſpeedily ſend your Majeſty an account of the ſtate of our Army after the Battel, that it may be compar'd with that ſent by the Elector five days ago.

An account of the ſlain. In this Battel the Enemies loſs was computed to be between 20 and 30000 men, beſides the 13000 that were made priſoners. The Confederates alſo took 100 pieces of Canon, 24 Mortars, 129 Colours, 171 Standards, 17 pair of Kettle Drums, 3600 Tents, 34 Coaches, 300 laden Mules, 24 barrels and 8 caſks of Silver. Of the Confederates there were about 4500 men kill'd,

kill'd, and 7500 wounded; among the ſlain we may reckon the Prince of *Holſtein Beck*, and Brigadier *Row*, who died of their wounds ſoon after the Battel. There were alſo kill'd upon the ſpot, *Philip Dormer*, Eſq; Lieutenant-Collonel of the *Engliſh* Guards, Major *Frederick Cornwallis*, Lieutenant-Collonel *Daltzyel*, Major *Creed*, Collonel *John White*, Lord *Forbes*, and Major *Chevnix*. Among the wounded were the Lord *North and Gray*, who loſt his right hand, the Lord *Mordant*, who had his left arm ſhatter'd, Collonel *Hamilton*, Lieutenant-Collonel *Levingſton*, Lieutenant-Collonel *Peyton*, Major *Grandville*, Major *George Morgan*, Lieutenant-Collonel *Brittain*, Major *Armſtrong*, and Major *Hetley*. 3 ANNÆ 1704.

The Elector of *Bavaria* and Marſhal *Marſin* made an orderly retreat with the left wing of their Army behind the Moraſs of *Hochſtet*, where they reſted ſome hours; and that night cauſed their Baggage to paſs the *Danube*, and ſent their horſe towards *Ulm*. The next morning before break of day they march'd with their Infantry, and paſs'd the *Danube* at *Lavingen*; and the Elector ſent orders to his troops in *Auſburg* to quit that City and join him at *Ulm*. The night after the Battel the Confederate Army lay upon their arms on this ſide the Moraſs of *Hochſtet*, over-againſt the Elector of *Bavaria*; and the next day the Army made a ſmall motion and came to *Steinheim*; where they remain'd encamped four or five days, to look after their wounded men, and take care of their priſoners.

After this Victory the *French* and *Bavarians* bending their march with the remainder of their troops towards the *Rhine*, the Confederate Generals alſo march'd that way, leaving only 23

3 ANNÆ, 1704. Battalions and ſome Squadrons under the command of General *Thungen* to carry on the ſiege of *Ulm*. On the 12th of *September*, N. S. Prince *Lewis* of *Baden* inveſted *Landau*, and Prince *Eugene* and the Duke of *Marlborough* encamp'd at *Croon Weiſſenburgh* in order to cover the ſiege, having detach'd Brigadier *Ferguſon* with five Battalions of *Engliſh* foot to convoy the *French* priſoners to *Holland*. The ſame day the Duke of *Marlborough* receiv'd advice from General *Thungen*, that *Ulm* beat a parley the 10th, and the 11th ſurrender'd upon honourable terms.

Landau inveſted.

A Thanksgiving in England. For all theſe great ſucceſſes, a day of Thankſgiving was appointed in *England* on the 7th of *September*, O. S. when her Majeſty went to St. *Paul*'s; where Dr. *Sherlock*, Dean of St. *Paul*'s, preach'd before her; the day concluded with all the uſual demonſtrations of joy: And all the Corporations, and conſiderable Societies in the Kingdom, crowded to Court with congratulatory Addreſſes upon the ſucceſſes of the Campaign.

Sir George Rooke *ſails from* Lisbon *to* Barcelona. We left King *Charles* III. with the Confederate Fleet at *Liſbon*: On the 16th of *March*, N. S. Sir *George Rooke* ſail'd from thence, and cruiz'd off of Cape St. *Vincent*, for ſecuring the *Scanderoon* Fleet, and ſome other Merchant Ships from *Leghorn*, and then return'd again to the river of *Liſbon*. On the 20th of *April*, N. S. Sir *George Rooke* ſet ſail for *Barcelona* with the *Engliſh* and *Dutch* Fleet, conſiſting of forty Ships of the Line of Battel; the Prince of *Heſſe Darmſtadt* being on board him. On their arrival there his Highneſs ſent a Letter to *Don Velaſco*, the Governor, requiring him to ſurrender the Town to his lawful Sovereign King *Charles* III. who anſwer'd, He would have no friendſhip or correſpondence with the Enemies of *Philip* V. the true King of *Spain*, but ſome priſoners that were taken

taken assuring the Prince and the Admiral, that in the City there were five to one for King *Charles*, and that upon the landing any forces, they wou'd compel the Governor to surrender, the Marines were landed, and a second summons sent to the Governor, requiring him to surrender; but this had no better success: Whereupon having thrown about sixty Bombs into the City, the Marines were reimbark'd, and the Fleet sail'd for *Nice*. The Fleet having made *Thoulon*, Captain *Taylor*, in the *Charles* Galley, came on board the Admiral, having been dispatch'd from *Lisbon*, with advice that Count *de Thoulouse* was come into the *Mediterranean*, in order to join the *Thoulon* Squadron: Whereupon it was resolv'd that the Confederate Fleet shou'd alter their course, and endeavour to make the *French* Fleet. Upon the 7th of *June* the Scouts made the signal for seeing them; whereupon Sir *George* commanded the Fleet to tack and stand after them; but the *French* keeping to windward, and night coming on, he cou'd not bring them to an engagement: And having lost sight of the *French*, he made the best of his way to the *Streights*; where he was reinforc'd by Sir *Cloudsley Shovel* with a Squadron of Men of War. The whole Fleet having taken in provisions at *Lagos* Bay, return'd into the *Streights*, where in a Council of war it was resolv'd to attack *Gibralter*; of which the Government were pleas'd to insert the following account. 3 ANNÆ. 1704.

An Account of the taking Gibralter.

THE 17th of *July*, the Fleet being then about seven Leagues to the Eastward of *Tetuan*, a Council of war was held on board the *Royal Catherine*, wherein it was resolv'd to make a sudden attempt upon *Gibralter*; and accordingly the Fleet sail'd thither, and on the 21st got into

3 ANNÆ. 1704. that Bay, and at three a clock in the afternoon the Marines, *Engliſh* and *Dutch*, to the number of 1800, with the Prince of *Heſſe* at the head of them, were put on ſhoar on the neck of Land to the Northward of the Town, to cut off any communication with the Country. His Highneſs having poſted his men there, ſent a Summons to the Governor to ſurrender the place for the ſervice of his Catholick Majeſty; which he rejected with great obſtinacy. The Admiral on the 22d in the morning gave orders that the Ships which had been appointed to canonade the Town, under the command of Rear-Admiral *Bing*, and Rear-Admiral *Vanderduſſen*, as alſo thoſe which were to batter the South-mole-head, commanded by Captain *Hicks* of the *Yarmouth*, ſhould range themſelves accordingly; but the wind blowing contrary, they cou'd not poſſibly get into their places till the day was ſpent. In the mean time to amuſe the Enemy, Captain *Whitaker* was ſent in with ſome Boats, who burnt a *French* Privateer of 12 Guns at the old Mole. The 23d, ſoon after break of day, the Ships being all plac'd, the Admiral gave the ſignal for beginning the canonade; which was perform'd with very great fury, above 15000 ſhot being made in five or ſix hours time againſt the Town, inſomuch that the Enemy were ſoon beat from their Guns, eſpecially at the South-mole-head: Whereupon the Admiral conſidering, that by gaining that Fortification, they ſhould of conſequence reduce the Town, order'd Captain *Whitaker*, with all the Boats arm'd, to endeavour to poſſeſs himſelf of it; which was perform'd with great expedition; but Capt. *Hicks* and Captain *Jumper*, who lay next the Mole, had puſht on ſhoar with their Pinnaces and ſome other Boats, before the reſt cou'd come up; where-

whereupon the Enemy ſprung a Mine that blew up the Fortifications upon the Mole, kill'd two Lieutenants and about forty men, and wounded about ſixty: However our men kept poſſeſſion of the great Platform, which they had made themſelves maſters of; and Captain *Whitaker* landing with the reſt of the Seamen which had been order'd upon this ſervice, they advanc'd and took a Redoubt, or ſmall Baſtion, half way between the Mole and the Town, and poſſeſs'd themſelves of many of the Enemies canon. The Admiral then ſent in a Letter to the Governor, and at the ſame time a meſſage to the Prince of *Heſſe*, to ſend him a peremptory Summons, which his Highneſs did accordingly; and on the 24th in the morning, the Governor deſiring to capitulate, hoſtages were exchang'd, and the capitulation being concluded, the Prince marched into the Town in the evening, and took poſſeſſion of the Land and North-mole-gates, and the outworks. 3 ANNÆ. 1704.

Soon after the taking of *Gibralter* happen'd the Battel of *Malaga*; of which we receiv'd the following relation.

Sea fight near Malaga.

ON the 9th Inſtant returning from watering our Ships on the Coaſt of *Barbary* to *Gibralter*, with little wind, Eaſterly, our Scouts to the windward made the ſignals of ſeeing the Enemies Fleet; which, according to the Account they give, conſiſted of ſixty ſix ſail, and were about ten Leagues to windward of us: A Council of Flag-Officers was call'd, wherein it was determin'd to lay to the Eaſtward of *Gibralter* to receive and engage them: But perceiving that night, by the report of their Signal-Guns, that they wrought from us, we follow'd them in the morning with all the ſail we cou'd make.

3 ANNÆ. 1704. On the 11th we forced one of the Enemies Ships aſhoar near *Fuengorolo*; the Crew quitted her, ſet her on fire, and ſhe blew up immediately. We continu'd ſtill purſuing them, and the 12th not hearing any of their Guns all night, nor ſeeing any of their Scouts in the morning, our Admiral had a jealouſie they might make a double, and by the help of their Gallies ſlip between us and the ſhore to the Weſtward, ſo that a Council of war was call'd, wherein it was reſolv'd, That in caſe we did not ſee the Enemy before night, we ſhould make the beſt of our way to *Gibralter*; but ſtanding in to the ſhore, about noon we diſcover'd the Enemies Fleet and Gallies to the Weſtward near Cape *Malaga*, going away large. We immediately made all the ſail we could after them, and continu'd the chace all night.

On *Sunday* the 13th in the morning we were within three Leagues of the Enemy, who brought to with their heads to the Southward, the wind being Eaſterly, formed their Line and lay to receive us. Their Line conſiſted of 52 Ships and 24 Gallies; they were very ſtrong in the center, and weaker in the van and rear; to ſupply which moſt of the Gallies were divided into thoſe quarters. In the center was Monſieur *de Thouloufe* with the white Squadron, in the van the white and blue, and in the Rear the blue; each Admiral had his Vice and Rear-Admirals. Our Line conſiſted of 53 Ships, the Admiral and Rear-Admirals *Bing* and *Dilks* being in the center: Sir *Cloudſley Shovel* and Sir *John Leak* led the van, and the *Dutch* the rear.

The Admiral order'd the *Swallow* and *Panther* with the *Lark* and *Newport*, and two Fireſhips to lie to the windward of us, that in caſe the Enemies van ſhould puſh thro' our Line with their

their Gallies and Fireſhips they might give them ſome diverſion. 3 Annæ, 1704.

We bore down upon the Enemy in order of Battel a little after ten a clock, when being about half Gun ſhot from them, they ſet all their Sails at once, and ſeem'd to intend to ſtretch a head and weather us; ſo that our Admiral, after firing a chace Gun at the *French* Admiral to ſtay for him, of which he took no notice, put the ſignal out and began the Battel; which fell very heavy on the *Royal Catherine*, the St. *George*, and the *Shrewſbury*. About two in the afternoon the Enemies van gave way to ours, and the Battel ended with the day, when the Enemy went away by the help of their Gallies to the Leeward. In the night the wind ſhifted to the Northward, and in the morning to the Weſtward; which gave the Enemy the wind of us. We lay by all day within three Leagues of one another, repairing our defects, and at night they ſiled and ſtood to the Northward.

On the 15th in the morning the Enemy was got four or five Leagues to the windward of us, but a little before noon we had a breeze of wind Eaſterly, with which we bore down on them till four a clock in the afternoon. It being too late to engage, we brought to, and lay by with our heads to the Northward all night.

On the 16th in the morning, the wind being ſtill Eaſterly hazy weather, and having no ſight of the Enemy or their Scouts, we ſil'd and bore away to the Weſtward, ſuppoſing they wou'd have gone away for *Cadiz*; but being adviſ'd from *Gibralter*, and the Coaſt of *Barbary*, that they did not paſs the *Streights*, we concluded they had been ſo ſeverely treated as to oblige them to return to *Thoulon*.

The

3 ANNÆ. 1704. The *Paris Gazette* gave the following account of this Engagement.

French *account of the Sea fight near* Malaga.

ON the 22d. past the Count *de Thoulouſe*, with the Fleet conſiſting of fifty Men of War, came to an Anchor before *Velez Malaga*, within three Leagues to the Eaſt of *Malaga*, where they water'd. A little while after his Scouts made a ſignal that the Enemy approach'd with a favourable wind; whereupon he order'd all the Ships to be in readineſs, but as the Sea was calm, the Gallies were order'd to tow off the Ships to Sea. About break of day the Fleet got under ſail by favour of a ſmall wind blowing from the Land, and proceeded towards the Enemy; who were carry'd off by the Currents to Sea. The 24th they came near, and were drawn in the following order of Battel. The Marquis *de Villette*, Lieutenant-General, commanded the van; having on his ſecond Line the Duke of *Turſis*, with the ſeven Gallies of his Squadron, and five *Spaniſh*. The Count *de Thoulouſe* commanded the body of Battel; having behind him the Marquis of *Roye*, with four Galleys. The Marquis of *Langeron* commanded the rear; having behind him eight *French* Gallies, under the command of the Marquis *de Ferville*. The van of the Enemy was commanded by Sir *Cloudſley Shovel*, the body of the Battel by Sir *George Rooke*, and the rear, where the *Dutch* Ships were, by Vice-Admiral *Calembergh*; they had ſixty Ships, almoſt all very big, and ſome Bombing Veſſels, of which they made very good uſe. Sir *Cloudſley Shovel* came up with a full ſail, ſeparating himſelf from the body of Battel; but obſerving that the Marquis of *Villette* made all poſſible ſail to ſurround him, he kept to the wind, and Sir *George Rooke*, who took notice of the danger he

he had expos'd himſelf to, bore upon the King's Fleet. The fight began about ten of the clock, North and South off of *Malaga* ten or eleven Leagues, and laſted till night. The fire was very great on both ſides, and notwithſtanding the Enemy had the advantage of the wind, which blew the ſmoak on the *French* Fleet, they always kept as near the wind as they could, while the Count *de Thouloufe* made all poſſible efforts to approach them. The Marquis *Villette* had ſo roughly us'd the van of the Enemy, having oblig'd five of their Ships to quit the Line, that he would have entirely put the ſame into diſorder, had not a Bomb fallen on his Forecaſtle and ſet it on fire; which oblig'd him to quit the Line for quenching the ſame. Another Bomb fell on the Ship of the Sieur *de Belle Iſle*; who quitted the Line to refit, as did likewiſe thoſe of the Sieurs *de Grancey*, *Oſmont*, *Recroy*, *Pontac*, and *la Rocht Allard*: The latter fought the Ship of Sir *Cloudſley Shovel*, of ninety Guns, tho' he had but ſixty. The Sieur *Chammeſlin* boarded three times a Ship of the Enemy; but quitted the ſame, ſeeing ſhe was on fire in ſeveral places; but becauſe of the ſmoak, they could not ſee whether ſhe was ſunk. The Baily of *Lorrain* was kill'd with a Canon ſhot, and the Sieur *de Relingue* had one of his Legs ſhot off: They were both Seconds of the Count *de Thouloufe*, and diſtinguiſh'd themſelves, following the example of that General. The Enemy continuing to ſheer off, the fight with the van ended about five, with the body of the Battel about ſeven, and with the rear towards night. The *French* Fleet purſu'd them, having all their Lights, whereas the Enemy, except their Flags, had none. The 25th, the wind blowing again from the Weſt, the Enemy ſailed toward the Coaſt of *Barbary*,

3 Annæ, 1704.

ſo

3 ANNÆ, 1704. so that we loſt ſight of them at night. The 20th they were ſeen again about four Leagues diſtance, the Wind having again ſhifted to Eaſt, which gave them a fair opportunity to renew the fight, but they did not think fit to approach. They have not been heard of ſince; whereupon it was judg'd, that they had repaſs'd the *Streights*; and this oblig'd the Count *de Thoulouſe* to return the 27th to *Malaga* with the Gallies. We have had about 1500 Men kill'd and wounded. We do not know the loſs of the Enemies, which muſt be very great.

In this engagement both ſides claim'd the Victory; but if it had been on the ſide of the *French*, how comes it to paſs they did not attempt the retaking of *Gibralter*, or indeed to enter upon any conſiderable Action afterwards with their Fleet, during the whole courſe of that war? One wou'd be tempted to think that this Battel had given us the Sovereignty of the *Mediterranean* as well as the *Britiſh* Seas; for, in fact, we have never ſince met with an Enemy there that dare oppoſe us; tho' we were not, 'tis true, in a condition to purſue the Enemy at that time, having ſpent all our Ammunition at *Gibralter* and in the fight. And if in theſe Circumſtances the Admiral by his conduct cou'd preſerve the whole Confederate Fleet, and diſable the *French* to ſuch a degree, his conduct deſerves admiration.

Sir *George Rooke* having ſtaid eight days at *Gibralter*, and furniſh'd that place with men and proviſions, return'd to *England* with the great Ships, leaving Sir *John Leake*, with 18 Men of War, for the defence of the Coaſt of *Portugal*.

A Treaty between the Emperor and the

A negotiation was ſet on foot this ſummer between the Emperor and the Malecontents of *Hungary*, and the *Engliſh* and *Dutch* were allow'd

low'd to ſend their Miniſters into *Hungary* as Mediators; but after much time had been ſpent in Treaties, the war was renew'd on that ſide, and the Troops which had been promis'd to march to the aſſiſtance of the Duke of *Savoy* were order'd into *Hungary*, and the burthen of the War with the *French* thrown upon the *Engliſh* and *Dutch*. 3 ANNÆ. 1704. Hungarians.

The ſiege of *Landau* being drawn out to a great length, the Duke of *Marlborough* march'd with part of the Army towards *Triers*, and being arriv'd at *Hermerſkel* three Deputies came from *Triers* to beg his Grace's protection: They acquainted him, that the *French* had ſtill 300 men in the Fort St. *Martin*, and they were apprehenſive of ſome ill uſage from them if not timely prevented. The Duke thereupon march'd the next morning by break of day with all the Horſe, and 4 Battalions of foot, and about eleven a clock the Vanguard coming in ſight of *Triers* the *French* abandon'd the Fort, having thrown their ammunition into the *Moſelle*. The Duke having taken poſſeſſion of the City, ſummon'd in a great number of Pioneers to fortify it: After which, his Grace having caus'd *Traerbach* to be inveſted by the Prince of *Heſſe Caſſel*, return'd to the ſiege of *Landau*. *Duke of* Marlbro' *marches to* Triers. Traerbach *inveſted.*

On the 10th of *November* the King of the *Romans* concluded a Treaty with the Electreſs of *Bavaria*, whereby ſhe was to ſurrender all the Towns in *Bavaria* to his Imperial Majeſty: And the Electreſs was permitted to remain in *Munich* with a guard of 400 men, and to be allow'd a yearly Penſion out of the Revenue of that Electorate for the ſupport of her Court and Family. About the middle of *November Landau* being upon the point of ſurrendring, the Duke of *Marlborough* order'd the *Engliſh* foot at *Croon Weiſſenbergh* *All* Bavaria *ſubmits to the Emperor.*

3 ANNÆ, 1704. *Weiſſenbergh* to decamp, (the Horſe being march'd for *Holland* before) and march towards the *Rhine*, in order to be embark'd for *Holland*; *Landau* having held out above two months, and thereby put a ſtop to the progreſs of the Allies; ſo that they did not reap that fruit of their Victory as might have been expected, at length ſurrender'd upon honourable Terms. *Traerbach* was alſo ſurrender'd to the Prince of *Heſſe* about the middle of *December* following. In *Flanders* there happen'd very little action this Campaign, except that the *Dutch* bombarded *Bruges* and *Namur*, and made ſome feeble attempts upon the *French* Lines, and then retir'd again.

Landau and Traerbach ſurrender'd.

Verue, &c. taken by the French. In *Italy* the *French* being much ſuperior to the Duke of *Savoy*, beſieg'd and took *Verneil* and *Ivrea*, and the winter following ſat down before *Verue*.

The Campaign in Portugal. In *Portugal* the *Engliſh* and *Dutch* found themſelves miſerably diſappointed: Not a third part of the Horſes were provided for remounting the *Engliſh* Cavalry as had been agreed on, and thoſe Horſes they had were underſiz'd and not fit for ſervice: Another misfortune was the difference between the Generals in point of Command; the King of *Portugal* expected the *Engliſh* General ſhou'd be commanded by the Governor of every Province where the Army happen'd to be, and wou'd not ſo much as ſuffer the *Engliſh* and *Dutch* to command their own Forces, or to act in a body, but diſtributed them into his little ragged Frontier Towns that were not tenable, where many of them were made priſoners by the Duke of *Anjou* and the Duke of *Berwick*, who invaded *Portugal* this year with an Army of 22000 men. The Marquiſs *das Minas*, the *Portugueze* General, pretended to give the *Spaniards* ſome diverſion by marching into *Caſtile*, but the

Duke of *Berwick* perfectly contemn'd him, and went on with the ſiege of *Caſtle David*, making the Garriſon priſoners of war. The Campaign being ended on this ſide, the Duke of *Anjou* return'd to *Madrid*, and the Armies went into winter Quarters; and Duke *Schombergh* not appearing acceptable to the King of *Portugal*, the Queen was pleas'd to ſend over the Earl of *Galway* to Command in his room. 2 ANNÆ, 1703. Caſtle David *taken by the* Spaniards.

The *French* and *Spaniards* this winter laid ſiege to *Gibralter*, but Sir *John Leake* arriving from *Portugal* with the Squadron under his Command, and throwing ſupplies into the Town from time to time, prevented their making themſelves maſters of the place. Sir *John Leake* afterwards returning to the river of *Liſbon* for freſh ſuccours, Monſieur *Ponti* the *French* Admiral came out of *Cadiz* with 13 Men of War, and brought the beſiegers great ſupplies of Ammunition and Proviſion, and block'd up *Gibralter* on that ſide towards the Sea, whereby the Town was reduc'd to the laſt extremity: When Admiral *Leake* returning to *Gibralter* again, ſurpriz'd Monſieur *Ponti*, with his Squadron, in the Bay, of whom he took three, and run two of the largeſt Men of War aſhoar, which the Enemy immediately quitted, and ſet on fire. Upon this ſucceſs the beſiegers, (after they had lain before the Town near ſix months, and the beſt part of their Army ruin'd by ſickneſs or the ſword,) thought fit to draw off their Batteries, and raiſe the ſiege, leaving only a detachment of their forces at ſome diſtance to block up the place. Gibralter *beſieged by the* French. *and reliev'd by Sir* John Leake. *Monſieur* Ponti's *Squadron deſtroy'd.*

Having given a ſummary account of ſuch hoſtile Tranſactions as *England* was concern'd in abroad, it is time to take a view of our Affairs at home.

The

3 ANNÆ, 1704. The Parliament being met the 24th of *October*, the Queen made a Speech to both Houſes, wherein ſhe ſays, That the great ſucceſſes with which God had bleſs'd her Arms, had ſtir'd up all her ſubjects to expreſs their joy and ſatiſfaction, and that a timely improvement of the preſent Advantages, wou'd enable them to procure a laſting foundation of ſecurity for *England*, and a firm ſupport for the Liberty of *Europe*. She deſir'd of the Commons the ſupplies for the ſervice of the enſuing year, and aſſures them they ſhall be carefully managed, and earneſtly recommends a ſpeedy diſpatch. She tells them their ſucceſs abroad depends upon their union at home, and hopes there will be no contention among them but who ſhou'd moſt promote the publick welfare.

The Queen's Speech at the opening of the Parliament.

The Lords Addreſs. The next day the Lords attended her Majeſty with an Addreſs of Thanks, aſſuring her of their concurrence in all her undertakings, and that they wou'd improve to the utmoſt the bleſſed opportunity put into their hands, and congratulated the ſucceſs of her Majeſty's Arms under the Conduct of the Duke of *Marlborough*.

Addreſs of the Commons. The Commons alſo addreſs'd her Majeſty, and congratulated her as well upon the Victory obtain'd by Sir *George Rooke*, as upon the other obtain'd by the Duke of *Marlborough*; and tell her, they come diſpoſed to do every thing that was neceſſary for the effectual proſecution of the war, and that they wou'd give ſuch ſpeedy diſpatch to the publick buſineſs as might enable her Majeſty to purſue the Advantages ſhe had obtain'd over the common Enemy. That they ſhou'd uſe their utmoſt endeavours by all proper meaſures to prevent all diviſions amongſt them, and they wou'd have no contention, but who

ſhou'd

ſhou'd moſt promote and eſtabliſh the publick welfare both in Church and State. 3 ANNÆ. 1704.

The Commons a little after addreſs'd her Majeſty to beſtow her Bounty upon the Seamen and Land Forces who had behav'd themſelves ſo gallantly both by Sea and Land; whereupon her Majeſty told them, that ſhe wou'd give directions accordingly. Then the Commons fell upon the Supply, and voted the numbers of the Forces, and the ſeveral Sums neceſſary for ſubſiſting them the enſuing year; and having paſs'd the Land Tax Bill for 4*s.* in the pound, the Queen came to the Houſe the 9th of *December*, and gave the Royal Aſſent to it, and at the ſame time made them a ſhort Speech, thanking them for their early diſpatch of ſo great a part of the publick Supplies, and deſires them that they will continue with the ſame zeal to diſpatch what remains.

The occaſional Bill, brought in a third time.

And now a third time a Bill for preventing occaſional Conformity (or Hypocriſy) was brought into the Houſe of Commons; and that Houſe expecting it wou'd meet with the ſame fate in the Honourable Houſe of Lords as heretofore, it was propos'd to tack it to a Money Bill: Hereupon certain Gentlemen who had hitherto voted on the ſide of the Church, being influenc'd by ſome great Men whoſe Fortunes depended much upon the ſucceſs of the war, and were apprehenſive the Lords might reject both if they were tack'd together, came over to the Whig Party, and voted againſt tacking this Bill: And we are told by certain Whig writers, that had the Commons tack'd this Bill, the then Miniſtry were ſo attach'd to their diſſenting Brethren, that they wou'd have diſſolv'd the Parliament, and hazarded the ruining their hopeful Affairs abroad rather than have ſuffer'd

3 ANNÆ, 1704. it to have paſs'd into an Act. The Houſe of Commons therefore paſs'd this Bill by it ſelf, and ſent it to the Lords, not that they had any hopes of their paſſing it, but to expreſs their own zeal for the eſtabliſh'd Church, and to ſhew the world what was to be expected from the other Houſe.

Lord Haverſham's *Speech.* About this time the Lord *Haverſham* made a Speech in the Houſe of Lords, wherein having congratulated them on the Duke of *Marlborough*'s Victory, he does the ſame upon Sir *George Rooke*'s Deliverance, as he calls it; and takes notice of a Squadron of *Dutch* being call'd home juſt before that Engagement. He proceeds to ſhew, that our Trade was not protected, or our Coaſts ſecur'd, and that we were inſulted even in the Channel. He alſo takes notice of the exportation of the Coin. But what he principally inveigh'd againſt was the Miniſtry's ſuffering the Act of Security to paſs in *Scotland*, which he denominates a Bill of Excluſion. He ſaid there were two occaſions of all Troubles, much Diſcontent, and great Poverty, and both were to be found in *Scotland:* That their Gentry were brave, but diſcontented: Their common People very ſtout and very numerous, but very poor. And what, ſays he, may ſuch a multitude ſo arm'd and diſciplin'd, as the Act of Security directs, with ſuch Leaders, do, eſpecially when no promiſes, no aſſiſtance wou'd be wanting which *France* cou'd give? And, like an old Whig, he adds, *He look'd upon it of the laſt Conſequence to* England, *that there ſhou'd be the leaſt ſhadow or pretence of a neceſſity to keep up regular ſtanding Troops in this Kingdom in time of Peace.*

Theſe Matters were afterwards debated with ſome warmth in both Houſes, and a majority in each

each ſeem'd to fall in with my Lord *Haverſham*'s ſentiments, and particularly the friends of the Church: Whereupon ſome of the Miniſtry, who look'd upon themſelves as principally ſtruck at, began more openly to eſpouſe the Whigs; a majority of the Miniſtry and of the Houſe of Lords were ſuch at this time; and theſe were ſupported by the *Dutch*, and others of our Allies; to theſe therefore they fly for ſanctuary. 3 Annæ, 1704.

Some account how the Whigs came to prevail.

It has been very much wondred at, that when both the Queen and the Houſe of Commons were ſo zealouſly affected to the Church, ſuch a flood of Whiggiſm ſhould break in upon us as afterwards enſu'd. But if it be conſider'd that the Gentlemen who brought this in, were, or pretended to be, once the great Patrons of the Church; and upon this, and other Accounts, had eſtabliſh'd themſelves in the Queen's favour; that the Nation, during their Miniſtry, had been attended with ſome ſucceſſes which rendred them very popular; and that they were hardly ſuſpected of theſe deſigns either by the Queen or by many of their party, till they had ſtrengthen'd themſelves to that degree, as to be able to get the preſent Parliament diſſolv'd, and to chooſe a Houſe of Commons after their own heart. If we attend to theſe things, it will not be ſtrange that the Church was apprehended to be in diſtreſs; even under a Queen who came very ſhort (if at all) of the Royal Martyr, in her affections to it. And when ſhe was once brought to approve their meaſures, and they had eſtabliſh'd themſelves, their next ſtep was to make themſelves appear ſo formidable, that it ſhou'd not be thought ſafe to touch them: This was the old game reviv'd, and it is a much greater wonder that her Majeſty ever diſengag'd her ſelf, than that they continu'd their reign ſo long.

3 ANNÆ, 1704.

Lords Addreſs to ſecure the Northern borders againſt the Scots.

The Lords addreſs'd her Majeſty that ſhe wou'd give orders for fortifying *Newcaſtle*, *Tinmouth*, *Berwick*, *Carliſle*, and *Hull*, and that the Militia of the four Northern Counties might be diſciplin'd and provided with arms, and that a competent number of regular troops might be kept upon the Northern borders of *England*, and in the North of *Ireland*, and that the Laws might be put in execution for diſarming of *Papiſts*.

Reſolutions of the Commons concerning Scotland.

The Commons alſo came to the following reſolutions relating to *Scotland*, *viz.* That a Bill be brought in to enable her Majeſty to appoint Commiſſioners to treat of a union with *Scotland*. 2. That the Natives of *Scotland*, not already ſettled, and continually reſiding in the Dominions of *England*, ſhall be reputed Aliens, unleſs *Scotland* come into the Proteſtant Succeſſion. 3. That more effectual proviſion be made for preventing the exportation of Wooll to *Scotland*. 4. To prevent the importation of *Scots* Linen. 5. That immediate proviſion be made to prevent the conveying Horſes, Arms, and Ammunition, from *England* or *Ireland*, to *Scotland*: Purſuant to which reſolution, a Bill was brought into the Houſe of Commons, and paſs'd both Houſes in a few days.

A Bill brought in for ſecuring England *againſt* Scotland.

The Duke of Marlborough *has the thanks of both Houſes for his ſervices this Campaign.*

About the middle of *November* the Duke of *Marlborough* arriv'd from *Holland*, with the Priſoners and the Colours and Standards taken at *Blenheim*. At his Grace's coming to the Houſe of Lords, the Lord Keeper, in the name of all the Peers, congratulated the Duke upon his ſucceſſes this Campaign, and return'd him the thanks of that Houſe for his ſignal ſervices: To which his Grace anſwer'd, He was extremely ſenſible of the honour they had done him, but that, next to the bleſſing of God, the ſucceſs of this Cam-

paign was owing to the extraordinary courage of the Officers and Soldiers under his command. 3 ANNÆ. 1704.

A Committee of the Commons alſo waited on his Grace to give him the thanks of that Houſe, and to congratulate his glorious ſucceſſes. Marſhal *Tallard*, and the principal of the *French* Priſoners, were ſent down to *Nottingham* and *Litchfield*, where they remain'd ſome years; and the Colours and Standards that were taken were hung up in *Weſtminſter-Hall*. The Duke of *Marlborough* was alſo invited by the Lord Mayor and Aldermen to dine with them at *Goldſmiths-Hall*; whither he went in one of her Majeſty's Coaches, attended by ſeveral of the great Officers of State, and foreign Miniſters, and was ſplendidly entertain'd. *The Priſoners, Colours, and Standards brought over.*

The Commons taking into conſideration the great ſervices the Duke of *Marlborough* had perform'd laſt ſummer, addreſs'd the Queen in a Body, that ſhe wou'd conſider of ſome proper means to perpetuate the memory of the great ſervices perform'd by the Duke. Her Majeſty anſwer'd, She wou'd take it into her conſideration, and ſome time after ſent them a meſſage by Mr. Chancellor of the Exchequer, that ſhe was inclin'd to grant the intereſt of the Crown in the Honour and Manor of *Woodſtock*, and Hundred of *Wootton*, to him and his Heirs; and deſir'd the aſſiſtance of the Houſe upon that extraordinary occaſion: Upon which the Houſe reſolv'd, that a Bill be brought in to enable her Majeſty to grant the Honour and Manor of *Woodſtock*, and Hundred of *Wootton*, to the Duke of *Marlborough* and his Heirs. *Woodſtock ſettled upon the Duke by Act of Parliame*

The Duke's glory and intereſt was arriv'd to that pitch at this time, that the bare mentioning another's merit, was argument ſufficient to lay that man aſide; the Duke's friends cou'd bear

2 ANNÆ, 1703. no rivals in his glory: And as the Duke of *Ormond*, after *Vigo* expedition, was removed out of the way of action, and preferred to a peaceable command in *Ireland*; now Admiral *Rooke*, without any reward for his eminent ſervices, was diſmiſs'd from his command, and permitted to retire to his ſeat in *Kent*: And yet I don't doubt but Poſterity, when they come impartially to conſider the Action at *Malaga*, and that at *Hochſtet*, will find that at *Malaga* as warm, fought under as great diſadvantages, and as conſiderable in its conſequences as the other; tho' they might have been much greater if the Admiral had been continu'd in his command. The Emperor indeed found his account in the Battel of *Hochſtet*, but ſurely had our ſucceſs been leſs at Land, we ſhou'd have more diligently apply'd our ſelves to the Sea ſervice, which is our proper Province, and from whence only we were to reap any benefit even by the Articles of the Grand Alliance: But inſtead of this, we anticipated our Revenues, and impoveriſh'd the Nation by a Land war; and that without any (or a very remote) proſpect of advantage to our ſelves. Happy, ſays one, had the Nation been, if the Duke's ſkill in Sea affairs, had been equal to his conduct at Land: But, whatever was the reaſon, it is matter of fact that Sir *George* was laid aſide, and Sir *Cloudſley Shovel* made Rear-Admiral of *England*, and Commander of the Fleet in his room. Sir *John Leake* was appointed Vice-Admiral of the White, Sir *George Bing* Vice-Admiral of the Blue, Sir *Thomas Dilks* Rear-Admiral of the Red, *William Whetſtone*, Eſq; Rear-Admiral of the White, and Sir *John Jennings* Rear-Admiral of the Blue in the room of Sir *James Wiſhart*, who laid down his Commiſſion; and *James* Lord *Durſley*, eldeſt Son to the

Sir George Rooke *laid aſide.*

A new promotion of Admirals.

the Earl of *Berkley*, was about this time called by Writ to the Houſe of Peers. 3 ANN. 1704.

The Houſe of Commons obſerving how miſerably deficient the Allies were in furniſhing their Quota's both by Sea and Land, addreſs'd her Majeſty that ſhe wou'd uſe her intereſt with the Allies that they might furniſh their Quota's next year according to their reſpective Treaties. *Addreſs of the Commons on the Allies not furniſhing their Quota's.*

The Commons about this time reſolv'd, That *John Paty*, *John Oviat*, *John Paton*, *Henry Baſs*, and *Daniel Horn*, of *Ayleſbury*, had been guilty of commencing and proſecuting an Action of Common-law againſt *William White*, and others, late Conſtables of *Ayleſbury*, for not allowing their Votes in the Election of Members to ſerve in Parliament, contrary to the Declaration of the Commons, in high contempt of their Juriſdiction, and in breach of the known Privileges of that Houſe, and order'd the ſaid five *Ayleſburymen* to be committed to Newgate: Whereupon they mov'd for an *Habeas Corpus* in the Court of *Queens-Bench*, but were remanded to Newgate by that Court, and their Counſel, Sollicitors, *&c.* voted guilty of a breach of Privilege by the Commons, and taken into cuſtody of the Serjeant at Arms. Two of the *Ayleſburymen* afterwards were about to bring their Writs of Error returnable in Parliament; which occaſion'd great animoſities between the two Houſes, and ſeveral Repreſentations to her Majeſty; the Lords addreſſing that the Writs of Error in this caſe might be granted, and the Commons inſiſting they might not. *The Ayleſburymen committed for bringing Actions for the allowance of their votes.* *Addreſſes for and againſt granting a Writ of Error.*

The principal matter in diſpute was, Whether an Elector's Vote being refus'd by the proper Officer empower'd to take the Poll, he might bring his Action at Law againſt ſuch Officer? Or whether ſuch Elector's right to vote cou'd

3 ANNÆ, 1704. be determin'd any where but in the Houſe of Commons? The Lords held that every Elector had a right to vote by virtue of his Freehold or Freedom, and that matters of Freehold, *&c.* were determinable by the Courts of Law; and that if the Commons only cou'd judge of the right of their Electors, they wou'd, in effect, chooſe their Electors, and might exclude as many Freeholders and Freemen from voting in Elections as they ſaw fit.

The Commons on the other hand inſiſted, That they had ever been held the ſole judges of the Elections of their own Members, and that by an Act of the ſeventh *W.* III. the laſt determination of the Houſe of Commons, as to the right of their Electors, is made concluſive; and any return contrary thereto, is therein declar'd to be a falſe return. That the two Houſes of Parliament are independent of one another, and ſole Judges of their own Rights and Privileges; but if the right of Electors might be determin'd in the Courts of Law, from whence Cauſes are remov'd by Writ of Error into the Houſe of Lords, then the Lords wou'd become Judges of the Right of the Electors, to chooſe, and conſequently who were duly elected Members of the Commons Houſe; whereby the Commons wou'd loſe their Independency, and become ſubject to the Lords as to their very being. For tho' they allow'd the Commons to determine the Right of the Members to ſit in the Houſe, yet if the Lords cou'd notwithſtanding upon a Writ of Error give damages againſt the Return-Officer for not allowing the vote of a perſon whom they adjudg'd to have a right, this muſt neceſſarily have ſuch an influence upon the Officer as to induce him to return ſuch perſons as wou'd be moſt acceptable to their Lordſhips,

Lordſhips, and conſequently their Lordſhips might in time chooſe the Houſe of Commons themſelves. And farther, ſhou'd the Houſe of Commons determine the right of Election to be in one, and the Courts of Law, or their Lordſhips, adjudge it to be in another, this wou'd produce contradictory judgments, and muſt create confuſion. There is indeed nothing of human inſtitution, but is liable to ſome objection, and it was poſſible the Commons might err in their determinations: But they thought the Rights and Privileges of the Commons of *England* much ſafer in the hands of their own Repreſentatives, than if they were but Tenants at will to the Houſe of Lords. 3 Anne, 1704.

Her Majeſty upon their Lordſhips addreſſing her not to put a ſtop to the iſſuing Writs of Error in this caſe, return'd the following Anſwer.

My Lords,

I Should have granted the Writ of Error deſir'd in this Addreſs, but finding an abſolute neceſſity of putting an immediate end to this Seſſion, I am ſenſible there cou'd have been no farther proceeding in this matter.

The Queen's Speech at the breaking up of the Parliament.

Soon after the Queen came to the Houſe, and having given the Royal Aſſent to ſeveral publick and private Acts, ſhe made a Speech; wherein ſhe acknowledg'd the great diſpatch they had given to the publick buſineſs, and thank'd the Houſe of Commons in particular for their Supplies; and ſaid, ſhe perſuaded herſelf ſhe ſhou'd always have the chearful aſſiſtance of her ſubjects in this war, till ſhe cou'd obtain an advantageous peace. That they had a fair proſpect of this deſirable end, if they did not diſappoint it by their

3 ANNÆ. 1704. their own unreaſonable humour and animoſity; the fatal effects of which they had ſo narrowly eſcap'd this Seſſion, that it might be a ſufficient warning againſt any dangerous experiments for the future. She concludes therefore with exhorting them to union; which ſhe thought was never more convenient than at this time, when the Kingdom was proceeding to a new Election. The Queen having ended her Speech, the Parliament was prorogued to the 1ſt of *May*.

Acts paſſed 3 *Annæ Reg.* Parl' 1. Seſſ. 3.

Cap. 1. An Act for granting an aid to her Majeſty by a Land tax, to be rais'd in the year one thouſand ſeven hundred and five.

Four ſhillings in the pound is hereby granted for one year from *Lady-day*, one thouſand ſeven hundred and five.

Cap. 2. An Act for raiſing money by ſale of ſeveral Annuities for carrying on the preſent war.

Cap. 3. An Act for continuing the Duties upon Malt, Mum, Cyder and Perry for one year.

Cap. 4. An Act for continuing Duties upon low Wines, and upon Coffee, Tea, Chocolate, Spices, and Pictures, and upon Hawkers, Pedlars, and petty Chapmen, and upon Muſlins, and for granting new Duties upon ſeveral of the ſaid Commodities, and alſo upon Callicoes, China-ware, and Drugs.

Cap. 5. An Act for granting to her Majeſty a farther Subſidy upon Wines, and Merchandize imported.

Cap. 6. An Act for the better enabling her Majeſty to grant the Honour and Manor of *Woodſtock*, with the Hundred of *Wootton*, to the Duke of *Marlborough* and his Heirs, in conſideration of the eminent ſervices by him perform'd to her Majeſty and the publick.

N. B. The

N. B. The Preamble to this Act is included in the Act 5 to *Annæ* Cap. 4. which see hereafter in the Acts of that year. 3 Anna, 1704.

An Act for the effectual securing the Kingdom of *England* from the apparent dangers that may arise from several Acts lately pass'd in the Parliament of *Scotland*. Cap. 1.

The Act for securing England against Scotland.

By this Act the Queen was empower'd to appoint Commissioners to treat of a union with *Scotland*.

And it was also provided thereby, That until *Scotland* shou'd come into the Protestant Succession, the Natives of *Scotland*, who were not then settled Inhabitants in *England*, shou'd be deem'd Aliens.

Scots to be deem'd Aliens.

That whoever shou'd convey Horses, Arms, or Ammunition to *Scotland*, shou'd forfeit 100 *l.* and treble the value of such Horses, Arms, and Ammunition.

Exporting Arms or Horses thither prohibited.

That all great Cattle and Sheep brought out of *Scotland* into *England* or *Ireland*, or the Dominions thereto belonging, shou'd be forfeited.

Commodities of the growth or Manufacture of Scotland prohibited.

That *Scots* Coals imported into *England*, *Ireland*, *&c.* shou'd be forfeited.

And that no *Scots* Linen shou'd be imported into *England*, *Ireland*, *&c.* on pain of forfeiting the same, and double the value thereof.

An Act to permit the Exportation of *Irish* Linen-Cloth to the Plantations, and to prohibit the Importation of *Scotch* Linen into *Ireland*. Cap. 8.

An Act for giving like remedy upon promissory Notes, as is now us'd upon Bills of Exchange, and for the better payment of Inland Bills of Exchange. Cap. 9.

Promissory Notes, and Inland Bills.

An Act for encouraging the Importation of Naval Stores from her Majesty's Plantations in *America*. Cap. 10.

An

3 ANNÆ, 1704. An Act for the better recruiting her Majeſty's Land Forces, and the Marines, for the year one thouſand ſeven hundred and five.

Cap. 11.

Cap. 12. An Act for the relief of the Creditors of *Thomas Pitkin*, a Bankrupt; and for the apprehending of him, and the diſcovery of the effects of the ſaid *Thomas Pitkin*, and his Accomplices.

Cap. 13. An Act for prohibiting all trade and commerce with *France*.

Cap. 14. An Act to prevent all traiterous correſpondence with her Majeſty's Enemies.

Treaſon to return to England *out of the ſervice of the* French. By this Act every perſon, who ſince the fourth of *May*, *primo Annæ*, had voluntarily gone into the *French* King's Dominions in *Europe*, without licenſe, or born arms in the *French* ſervice, and ſhou'd return into the Queen's Dominions after the 25th of *March* 1705, without licenſe under the Privy-Seal, was declar'd guilty of High Treaſon.

Cap. 15. An Act for relief of *Fulke Emes*, Gent. and others who had eſcap'd their times either for paying their money, or naming their Nominees for purchaſing Annuities, and alſo for relief of Sir *John Mead*, Knight and Baronet, who had elapſed his time for paying part of his Purchaſe-money for a forfeited Eſtate in *Ireland*, and alſo for relief of *Dorothy Ireland* and others, in reſpect of ſeveral Tickets for payment of Annuities, and of ſeveral Million-Lottery and Malt-Lottery Tickets, and Exchequer-Bills and Debentures to the Army, which have been burnt or loſt.

Cap. 16. An Act for puniſhing Mutiny and Deſertion, and falſe Muſters, and for the better payment of the Army and Quarters.

Cap. 17. An Act for raiſing the Militia for the year one thouſand ſeven hundred and five, although the

the Month's Pay formerly advanc'd be not re-paid. 3 Anne, 1704.

An Act for making perpetual an Act for the more eaſy recovery of ſmall Tithes; and alſo an Act for the more eaſy obtaining partition of Lands in Coparcenary Joint Tenancy, and Tenancy in Common; and alſo for making more effectual and amending ſeveral Acts relating to the return of Jurors. Cap. 18. *Partition Jurors.*

Notwithſtanding the ſeveral Addreſſes and Repreſentations of the Houſes of Lords and Commons to the Queen againſt the *Dutch* continuing to trade with *France*, they ſo ingratiated themſelves with the preſent Miniſtry, that an Order of Council was publiſh'd, ſetting forth, that the Queen being about to open a trade with *Spain*, the Ships of the States that had proper Paſſes ſhou'd no more be moleſted by the Commanders of her Majeſty's Ships in their trade with *France*. 4 Anne, 1705. *The Dutch permitted to trade with France.*

In the beginning of this year ſome alterations were made at Court. The Duke of *Newcaſtle* was made Lord Privy Seal in the room of the Duke of *Buckingham*, and *Charles* Earl of *Peterborough*, and *Hugh* Lord *Cholmondley*, were ſworn of the Privy Council; the Earl of *Mountague* was made Duke of *Mountague*; the Lord *Cutts* was made Commander of her Majeſty's Forces in *Ireland* under the Duke of *Ormond*; Dr. *Wake* was named Biſhop of *Lincoln* in the room of Dr. *Gardner* deceas'd, and Dr. *Bull* Biſhop of St. *David's* in the room of Dr. *Watſon*, who was depriv'd. There were alſo ſeveral alterations in the Lieutenancy in favour of the Whigs, and the following promotion of General Officers, *viz.* Brigadier *Frederick Hamilton*, the *Alterations at Court.* *Promotion of General Officers.*

4 ANNÆ, 1705. the Lord *Windsor*, the Lord *Raby*, and Brigadier *Fidcombe* were made Major Generals; and the Honourable Collonel *Mordant*, Collonel *Blood*, and Collonel *Stanhope*, were made Brigadier Generals.

A new Parliament call'd.

On the 5th of *April* a Proclamation came out for diſſolving the Parliament, and before the end of the month another Proclamation iſſued for the calling of a new one. And the Whigs having receiv'd a great addition of Strength by the Treaſurer, *&c.* going over to them upon private views, the Elections generally went on the ſide of the Whigs.

The Whigs carry the Elections.

Queen goes to Newmarket.

The Queen about this time went to *Newmarket*, where ſhe was attended by the Vice-Chancellor of *Cambridge*, Dr. *Ellis*, and the Heads of that Univerſity, who gave her Majeſty an invitation to *Cambridge*, which ſhe was pleas'd to accept of. And ſhe was magnificently entertain'd the 16th of *June*, at the charge of the Univerſity in *Trinity College*.

The Electors give inſtructions to their Repreſentatives.

Several Counties and Corporations thought fit to give inſtructions to their new Repreſentatives as to their behaviour in the enſuing Parliament, which generally run in the Whig ſtrain; and they were thought to be encourag'd in this procedure, if not put upon it, by the Miniſtry.

The Emperor Leopold's *death.*

In the beginning of *May*, Count *Gallas*, Envoy Extraordinary from the Emperor, receiv'd advice of his Maſter's death, the late Emperor *Leopold*, who died on the 5th of *May*, N. S. and was ſucceeded by the Emperor *Joſeph*. The Envoy being admitted to a private audience, aſſur'd her Majeſty, That the new Emperor wou'd not only obſerve all the Treaties concluded with his Predeceſſor, but would omit nothing that might render thoſe Alliances more firm. It was debated in Council whether the Court ſhou'd go into mourning for the late Emperor,

peror, that Court not going into mourning for other Princes, looking upon the reſt of the Monarchs of *Europe* as of an inferior Claſs; and it was carried in Council, that this Court ſhou'd not go into mourning. But Count *Gallas* engaging in his Maſter's name, that the Emperors wou'd for the future mourn for the Kings of *England*, the *Engliſh* Court went into mourning. 4 Anne, 1705. *Mourning for the Emperor.*

In *Trinity* Term there was a Call of Serjeants, *viz.* *Thomas Parker* of the *Inner Temple*, Eſq; Queen's Serjeant, *James Grove*, *Henry Lloyd*, *John Hoo*, and *John Cheſhire*, Eſqrs; of the *Inner Temple*; *William Banniſter*, *St. John Broderick*, *Joſeph Weld*, *Richard Wynn*, *Richard Richardſon*, *John Birch*, and *Thomas Webb*, of the *Middle Temple*, Eſqrs; *Henry Chetham*, and *John Bennet*, of *Gray's Inn*, Eſqrs; and *John Comyns* of *Lincoln's Inn*, Eſquire. *A Call of Serjeants.*

On the 28th of *June* the Parliament of *Scotland* met. The Duke of *Argyle* being appointed High Commiſſioner, his Commiſſion was recorded, as was the Commiſſion of *James* Earl of *Seafield* to be Lord Chancellor; the Commiſſions of *William* Marqueſs of *Annandale*, and *Hugh* Earl of *Loudun* to be Secretaries of State; of *David* Earl of *Glaſgow* to be Lord Treaſurer Depute; Sir *James Murray* to be Clerk Regiſter, and of *Adam Cockburn* to be Lord Juſtice Clerk: And then, the Houſe being thin, the Parliament was adjourn'd to the 3d of *July*, when her Majeſty's Letter was read, wherein ſhe again earneſtly recommends the ſettling the Succeſſion of that Kingdom in the Proteſtant Line, and the paſſing ſuch an Act for treating of an union between the two Kingdoms as had paſs'd in *England*. She alſo put them in mind of granting the neceſſary Supplies for their Forces, Garriſons and Magagines; and tells them, ſhe has appointed the *Alterations in the Miniſtry of Scotland.* *The Parliament meets.* *The Queen's Letter to them.*

4 ANNÆ, 1705. Duke of *Argyle* her Commiſſioner; being aſſur'd of his capacity and zeal for her ſervice; and hoped he wou'd be no leſs acceptable to them: That ſhe had empower'd him to declare her firm reſolutions to maintain the Government in Church and State, and to conſent to ſuch further Laws as might be neceſſary for that end; as alſo for the advancement of Piety, improving their Manufactures, *&c.* in all which they ſhould have her cheerful concurrence.

Dated 18 *June*, 1705.

Her Majeſty's Letter being read, the Lord Commiſſioner, and the Lord Chancellor, each of them, made a Speech, enforcing what her Majeſty had inſiſted on in her Letter.

The *Scots* wou'd not yet be brought into the Proteſtant Succeſſion, but they paſs'd an Act this Seſſion for a Treaty with *England*, and having given the neceſſary Supplies, were adjourn'd to the 20th of *December*.

Parliament of Ireland *meets.*

Bill for improvement of the Linen Manufacture paſſes.

In *Ireland* the Parliament having met, ſeveral beneficial Laws receiv'd the Royal Aſſent; and, among the reſt, *An Act for the improvement of the Hempen and Flaxen Manufactures.* Whereupon that People expreſs'd abundance of gratitude to her Majeſty, and the Duke of *Ormond*, their Lord Lieutenant, whom they look'd upon to be very inſtrumental in the procuring them.

Let us now attend the Duke of *Marlbro'* into *Holland*, and obſerve how our military Affairs proſper'd abroad this Campaign. His Grace arriv'd at the *Hague* the 14th of *April*, N. S. and had ſeveral conferences with the Penſionary, and other Members of the States, concerning a project he had fram'd of attacking *France* on the ſide of the *Moſelle*, which the *Dutch* at length came into:

to: Whereupon the Duke march'd with his Army towards the *Moſelle*, and on the 21st of *May* had a conference with Prince *Lewis* of *Baden*, wherein it was reſolv'd to leave a ſufficient number of *Germans* for ſecurity of the Lines of *Lauterbergh* and *Stolhoffen*, under the Command of General *Thungen*, and that Prince *Lewis* ſhou'd march with a great detachment towards the *Saar*, to act in concert with the Duke; but the *Imperial* Army was unprovided of every thing, and not in a condition to march 'till the Duke of *Marlbro'* had conſum'd all the Forage about him, and cou'd no longer ſubſiſt in his Camp at *Elft*; whereupon the Duke held a Council of War at *Triers*, wherein it was reſolv'd, That the Forces under his Command ſhou'd march back to the *Maeſe*, except 7000 *Palatines* in the pay of *England* and *Holland*, who were left for the ſecurity of *Triers*, and other Places on that ſide, and accordingly his Grace begun his march for the *Netherlands*. His Grace had no ſooner left that Country, but Marſhal *Villars* advanc'd with the *French* Army towards the *Saar*: Upon his approach Monſieur *D'Aubach* the *Palatine* General ſent orders to the Governor of *Saarbruck* to quit that Caſtle, and blow up the Fortifications, which was executed accordingly; and he himſelf, before the Enemy appear'd in ſight, deſtroy'd all the Magazines the *Engliſh* and *Dutch* had erected at *Triers*, blew up the Fortifications, burnt the Boats prepar'd for Bridges, and ſo quitted that poſt; of which Marſhal *Villars* took poſſeſſion four days after.

ANNÆ 1705.

The Duke of Marlbro's *march to the* Moſelle.

He returns to the Netherlands.

While his Grace was on the *Moſelle*, the *French*, being ſuperior in the Low Countries, inveſted *Huy*, and took it, with the Caſtle and Forts, the 11th of *June*, N. S. making the

Huy taken by the French.

4 ANNÆ, 1705. Garriſon Priſoners of War, and immediately after inveſted the Citadel of *Liege*. This made the *Dutch* very uneaſy, and was probably the true reaſon of the Duke of *Marlbro*'s precipitate march from the *Moſelle*. It cannot be ſuppos'd when he had been at that vaſt expence of erecting Magazines at *Triers* for the ſubſiſtence of the Army, he wou'd have left them all to the mercy of the Enemy, if he had not been preſs'd very hard by his Friends the *Dutch* to return to their Frontiers. This unſucceſsful attempt upon the *Moſelle* brought the war back into *Flanders*, and fix'd it there; for the *Dutch* wou'd never after ſuffer their Friend out of their ſight, but employ'd him in reducing one ſtrong Town after another, if poſſible, to make their Barrier impregnable, and ſecure them againſt any future attempts of the *French*. The Generalſhip in *Flanders* has ever been look'd upon as a poſt for life: If one ſide is victorious, the other retires into their Fortreſſes: And if one Town be taken, another riſes up of equal ſtrength within the ſpace of five or ſix miles. So that when the *French* had once fix'd us here, they had a ſufficient breathing time for recruiting their ſhatter'd Troops, and recovering their Affairs. We had indeed upon every little ſucceſs, both in the laſt war and this, flatter'd our ſelves with being at the Gates of *Paris* the next Campaign; nay, ſo ſanguine were we the laſt War, when we were beaten, that we promis'd our ſelves every year *France* could not hold out another. This we were aſſur'd of in the year 1691, as I very well remember; but had we continued the War to 1721, it will admit of a diſpute whether we ſhou'd have made an entire Conqueſt of *France*. And if this had been accompliſh'd, whether we had gain'd any thing

by it but the being made a Province to that Kingdom, (the dread of which was the very foundation or pretence for this War) is a very great Queſtion. The caſe poſſibly wou'd have been much the ſame with that of *Scotland* upon the union. The more conſiderable Kingdom will ever be the ſeat of the Empire: I know but few inſtances to the contrary, and they are of a very modern date. 4 ANNÆ. 1705.

But to return to our ſubject, the Duke continued his march with that diligence that he came time enough to ſave the Citadel of *Liege*; and the *French* having gain'd their end in drawing him from the *Moſelle*, upon advice of his approach, retir'd to *Namur*. By this long march the Allies loſt great numbers both of Men and Horſes; but no miſmanagements were to be enquir'd into. The *Dutch* were again ſecur'd, and receiv'd him at *Maeſtricht* with all imaginable demonſtrations of Joy. The 6th of *July* the Confederates inveſted *Huy*, and in five or ſix days made themſelves Maſters of that Place, with the Forts and Citadel, making the Garriſon priſoners of War. After the reduction of *Huy*, the Confederates reſolv'd to attack the *French* Lines, which they did, and enter'd them with very little loſs. This ſucceſs was then thought ſo conſiderable, that Expreſſes were ſent to all the Courts in *Europe* with the News, and a Thankſgiving was appointed in *England*, and the Queen went in great State to St. *Paul's*, where Dr. *Willis* the Dean of *Lincoln* preach'd before her, and exhorted his audience to union and moderation, by which was meant nothing leſs at that time than ſetting the Diſſenters on the ſame foot with the eſtabliſh'd Church; but notwithſtanding our entring the *French* Lines, the Confederates

Huy retaken by the Allies.

They enter the French Lines.

4 ANNÆ. 1705. reap'd very little advantage from that expedition; for the *French* having poſſeſs'd themſelves of the ſtrong Camp of *Parck*, whereby they cover'd both *Louvain* and *Bruſſels*, the Deputies of the States thought it too hazardous an attempt to attack them; and when the Duke of *Marlborough* expoſtulated with them, and endeavour'd to ſhew them how great a probability there was of ſucceſs; they abſolutely refus'd to concur with him, and gave him to underſtand, they did not pay that deference to his Judgment he imagined: He found they wou'd run no riſques to advance his Glory; and that there was very little meant by all that flattery they were ſo laviſh of after the Battel of *Hochſtet*. He was now thoroughly convinc'd that he had no more than the name of Generaliſſimo of the Confederate Troops, but was under the Tuition of the Field Deputies. Nor cou'd he forbear expreſſing his reſentment on this occaſion in the following Letter to the States.

The Deputies of the States refuſe to attack the French.

The Duke diſguſted.

High and Mighty LORDS,

Duke of Marlbro's *Letter to the States.*

ACcording to what I had the Honour to write to your High Mightineſſes the 13th inſtant, the Army march'd *Saturday* laſt, and encamp'd that day at *Corbais* and St. *Martin*'s, and the next day at *Genap*. On *Monday* we came to *Fiſhermont*, and yeſterday we were in motion before break of day, and having paſs'd ſeveral Defiles we came into a pretty large plain, having found the Enemy, as we expected them, between *Over Iſche* and *Neer Iſche*, with the little River *Iſche* before them. At noon, or a little after, our whole Army was drawn up in order of Battel, and having view'd with Monſieur *d'Auverquerque* the four Poſts which I deſign'd to attack, I flatter'd my ſelf already, conſidering the

the goodneſs and ſuperiority of our Troops, that I might ſoon have congratulated your High Mightineſſes upon a glorious Victory. But at laſt, when the attack was to begin, it was not thought fit to engage the Enemy. I am confident that Meſſieurs the Deputies of your High Mightineſſes, will acquaint you with the Reaſons that were alledg'd to them *pro* and *con*; and that they will at the ſame time do Monſieur *d'Auverquerque* juſtice, by informing you that he was of the ſame opinion with me, that the opportunity was too fair to let ſlip. However, I ſubmitted, tho' with much reluctancy. I am, with all manner of reſpect,

4 ANNÆ, 1705.

At the Camp at Lower Wavre, Aug. 19, 1705.

Your High Mightineſſes, &c.

P. S. My Heart is ſo full, that I cannot forbear repreſenting to your High Mightineſſes on this occaſion, that I find my Authority here to be much leſs than when I had the Honour to command your Troops laſt year in *Germany*.

It is very probable, that the Duke was ſo exaſperated at this affront, that the *Dutch* were in ſome danger of loſing his intereſt, if ever they ſhou'd have occaſion to apply to *England* again in their diſtreſs. He had procur'd them an augmentation of Troops from thence, and enlarg'd their Frontiers at the expence of his own Country, and now to find himſelf ſlighted was ſomething ſhocking. Nor were the *Dutch* themſelves a little apprehenſive of his reſentment, for they ſoon after diſpatch'd Monſieur *Buys*, Penſioner of *Amſterdam*, to conciliate matters, and to aſſure him, their High Mightineſſes were

4 ANNÆ. 1705. ready to give him all reaſonable ſatisfaction for the diſguſt he had entertain'd; and that they wou'd remove thoſe Perſons that were moſt inclin'd to thwart his Grace's deſigns: And, in fact, they remov'd General *Slangenburgh*, who had moſt oppos'd the attacking the *French* Army at *Parck*. And thus his Grace was again made eaſy in his Command.

The Duke reconcil'd to the Dutch.

The ſeaſon for Action being almoſt over, the Duke of *Marlbro'* took a Tour thro' *Germany* to *Vienna*, where he was receiv'd with all imaginable honours by the new Emperor. And his *Imperial* Majeſty, in conſideration of his ſervices to the *Auſtrian* Family and the Empire, made him a grant of the Lordſhip of *Mindelheim* in *Suabia*, near *Auſburgh*, which Fief being erected into a Principality, his Grace obtain'd the Stile and Title of Prince of *Mildenheim*. About the time his Grace was at *Vienna*, the *Engliſh* and *Dutch* Envoys at that Court us'd their endeavours to accommodate matters between the Emperor and his *Hungarian* Rebels, but to no effect; and Prince *Ragotſki*, and the other *Hungarian* Generals, had the mortification to be ſeverely bang'd ſoon after by the *Imperial* Generals for their obſtinacy, as were the *Bavarians*, who had once more riſen in favour of their Elector. The Duke of *Marlbro'* and the Earl of *Sunderland* having finiſh'd their Negociations at *Vienna*, ſet out for the *Hague*, where they arriv'd the 14th of *December*, N. S.

He goes to Vienna.

Is made Prince of Mindelheim.

In *Italy* Prince *Eugene* made ſeveral attempts to join the Duke of *Savoy* this Campaign, but was not able to effect it, being oppos'd and narrowly watch'd by the Duke of *Vendoſme*. At length Prince *Eugene* underſtanding the diſtreſſes the Duke of *Savoy* was reduc'd to, and that even his Capital City was threatned with a ſiege,

Campaign in Italy.

ſiege, reſolv'd to make a puſh for it; and having divided the *French* Army, by ſending a ſtrong detachment towards the *Adda*, on which the Duke of *Vendoſme* himſelf attended, he advanc'd to attack the Body commanded by the Grand Prior; but the Duke of *Vendoſme* being aware of his deſign, was not march'd ſo far but he ſoon return'd and join'd his Brother; whereupon their happened a ſharp engagement near *Caſſano* the 16th of *Auguſt*, N. S. in which great numbers were kill'd and wounded on both ſides; and both ſides ſung *Te Deum* for the Victory, as did their Confederates. The *French* boaſted they had gain'd their point in preventing the conjunction of Prince *Eugene* with the Duke of *Savoy*; and the Prince was very well ſatisfied that he had prevented the ſiege of *Turin* for this Campaign: And having left the Command of the Army to Count *Raventlau*, he return'd to *Vienna*, to ſolicit further reinforcements; and ſo well ſucceeded, that the Emperor ſent a Memorial to the Queen of *England*, offering to mortgage his Lands and Revenues in *Sileſia* to her ſubjects for the Loan of 250,000 *l.* at 8 *per Cent.* towards the recruiting and augmenting his Troops in *Italy*; and her Majeſty was pleas'd to grant her Letters Patents, permitting and encouraging her Subjects to ſubſcribe to the ſaid Loan; whereupon the whole Sum was ſuddenly ſubſcrib'd, whereof the Prince of *Denmark* ſubſcrib'd 20,000 *l.* the Duke of *Marlbro'* 10,000 *l.* the Treaſurer *Godolphin* 5,000 *l.* *Portland* 10,000 *l.* and the Lord *Sunderland* 2,500 *l.*

Battel of Caſſano.

The *Portugueze*, with their Allies the *Engliſh* and *Dutch*, march'd to the Frontiers of *Spain* this Campaign, and meeting with no Enemy in the Field on that ſide, laid ſiege to *Alcantara* in the Province of *Alentejo*, which ſoon ſurren-

Campaign in Portugal.

4 ANN. Æ. 1705. dred, and the Garriſon, conſiſting of 700 *Spaniards*, were made priſoners of War. They afterwards laid ſiege to *Albuquerque*, another Town of no great ſtrength, which held out about a week, and then ſurrender'd upon honourable Terms. It was afterwards debated, whether they ſhou'd lay ſiege to *Bajadox*, but that being a Town better fortified than either of the former, and having a Garriſon of 9 or 10 Battalions, and the *Portugueſe* declaring they wanted Canon, Balls, and other neceſſaries for ſuch an undertaking, the deſign was laid aſide, and the Army march'd into winter Quarters. The *Portugueſe* alſo under the Command of the Marquiſs *das Minas*, attack'd the Town of *Salvaterra*, in which was a Garriſon of 360 men, who ſurrender'd priſoners at diſcretion: And thus the Campaign ended on that ſide.

The Grand Fleet ſails to Lisbon. And now we may take a view of our ſucceſſes at Sea this ſummer. On the 24th of *May* the Grand Fleet, under the Command of Sir *Cloudſley Shovel*, with ſome Land Forces commanded by the Earl of *Peterborough*, ſail'd for *Liſbon*, where they artiv'd the 20th of *June*, N. S.

An account of King Charles's *Voyage to* Barcelona, *and taking that City, by the* Portugueſe *Ambaſſador.* His Catholick Majeſty having reſolv'd to embark on the Confederate Fleet, parted from *Liſbon* the 28th of *July*, and having a good paſſage, arrived in a few days in the Bay of *Gibralter*, the Ruins of which place were a plain demonſtration of the great courage, induſtry and indefatigable care wherewith the Prince of *Darmſtadt* had defended it againſt the united force of *France* and *Caſtile*, being ſeconded by the bravery of the Captains and Soldiers that were with him in that Garriſon, with whoſe aſſiſtance he made ſo glorious and memorable a defence as is

is not to be parallel'd either in ancient or mo- 4 Annæ, 1705.
dern Hiſtory.

The 5th of *Auguſt* in the morning the Fleet ſailed out of that Bay, but the wind being eaſterly, we were oblig'd to ply off and on; and before we could reach *Eſtepona* we were all becalmed: However, the day following, being aſſiſted more by the currents than the wind, we got in the evening before *Marbella*.

The 6th at night the wind ſprung up Weſt, and blew ſo freſh in, that this night and the next day we gain'd above 40 Leagues, and the 7th, before night, doubled the Cape *de Gatta*.

The 11th we came to an anchor in the Bay of *Altea*, in order to water there. This Town is inhabited by about 300 families, has an ancient Caſtle, and belongs to the Kingdom of *Valentia*. As ſoon as the Fleet was enter'd into the Bay, all the People came to offer their ſervice to his Catholick Majeſty, imploring his protection. They brought all ſorts of Refreſhments and Proviſions, and were very well paid for them; the report of which made all the Inhabitants of the neighbouring Villages and Towns come, and in like manner acknowledged his Catholick Majeſty, and do him homage, and bring with them Fruits of the Country, and other neceſſary proviſions. His Catholick Majeſty ordered a body of Foot to be landed, as well to ſecure the Fleet's watering, as to hinder the Sailors and others who went on ſhoar, from committing any diſorders either in the Town or the Country about it. Here we had notice, that there were in the neighbouring Mountains 800 or 1000 of the Inhabitants of the Towns and Places in the neighbourhood, who, abhorring the *French* Yoke, had declar'd for King *Charles* III.

4 ANNÆ. 1705. Whilſt the Fleet was in this Bay, two *Portugueſe* Officers, and two Soldiers, who had been taken Priſoners by the *French* and *Spaniards* in *Portalegre* and *Salvaterra*, came to us, deſiring the protection of the *Conde de Aſſumar*, Ambaſſador Extraordinary from the King of *Portugal* to his Catholick Majeſty, who accompanies him in this Expedition. His Excellency received them very kindly, ſupplied their wants, and procured them a paſſage on board a Ship bound for *Gibralter*, in order to their return to *Portugal*. Theſe priſoners complained of the inhumane Treatment they met with from the *Caſtilians* and the *French*, who made them march through the Country to *Bayonne* in *France*, where not being able to bear any longer the hardſhips put upon them, they choſe rather to hazard ſuch farther ill uſage as they might have expected, had they been taken making their eſcape, and fled into the Kingdom of *Arragon*, and from thence paſſed into that of *Valentia*; in both which they were treated with great demonſtrations of love and eſteem, quite contrary to the manner in which they had been uſed by the ſubjects of the Crown of *Caſtile*.

In the Bay of *Altea*, the 13th and 14th of *Auguſt*, the wind blew very hard at E. and N. E. which detained the Fleet ſome time, and from *Altea* to *Barcelona* we met with ſo many calms, that we could not reach that Bay 'till the 22d of *Auguſt*, on which day we entered into it at nine a clock in the morning. This City is one of the moſt ancient in *Spain*, having been a Colony of the *Carthaginians*, built by them to ſtop the impetuous Torrent of the *Romans* who came from *Italy*, and after they had ſubjected *Gallia Narbonenſis*, were endeavouring to make themſelves maſters of *Spain*. It is ſituated in a Plain near

the

the Sea, having a Mole within, which only Gallies and ſmall Ships can enter. The entrance into it has a Platform, with ſome Guns mounted for its defence, and a Light-houſe, being a Tower built in the form of a Pyramid, with a Lanthorn at the top. It is fortified round with 10 Bulwarks, and ſome old Towers. Its Ditch in ſome parts is not very deep, and the Covered-way is not quite finiſhed. The Caſtle and Citadel, which is called *Montjuich*, is built upon a Hill on the Weſt-ſide; it commands the City, and is not commanded by any Ground thereabouts. The Country along that Coaſt is level, very fruitful, and well cultivated, being watered by many Rivers and Rills which run down from the neighbouring Mountains; for at about a League's diſtance from the Sea the Land begins to riſe, and ſhapes it ſelf into ſeveral Hills and Mountains one above another in the form of a Theatre, all full of Villages and Towns, Vineyards and Country Seats, which makes a very agreeable proſpect all along the Sea-Coaſt for a great way together. As ſoon as the Fleet had anchored, they began to fire from the Mole, and a Battery that is near the Sea, upon ſome of the Tranſport Ships which ſtood in for the ſhoar; but the Enemy's firing was to no manner of purpoſe, and did not do us any damage; and the Tranſport Ships all anchored in ſuch manner as they found moſt commodious for the landing of the Forces on board them. The wind being eaſterly, began to encreaſe, and made ſo great a Sea, that notwithſtanding all the diligence that could be uſed, it was impoſſible for them to get on ſhoar that day. 4 ANNÆ 1705.

Upon the arrival of the Fleet, *Don Franciſco de Velaſco*, Viceroy of *Catalonia*, gave orders that

4 ANNÆ. 1705. that they ſhould burn all the Straw and Forage in the Country and Villages for a League round *Barcelona*: But notwithſtanding all his precaution, there remain'd enough for all the horſe the Fleet had on board. Before the Fleet arriv'd at the Port of *Barcelona*, the Prince of *Darmſtadt* went with two Frigates to enquire into the poſture of affairs in thoſe parts, and of what ſtrength the City might be. His Highneſs put into *Mataro*, four Leagues diſtant from *Barcelona*; where having inform'd himſelf of what he judg'd neceſſary, and advis'd the people at *Vich*, who had declar'd for us, to come down, he came away in order to rejoin the Fleet, and in his paſſage gave chace to three Gallies of *Naples*, which the day before had carried to *Barcelona* the Duke of *Popola*, a *Neopolitan*, who, with forty young Gentlemen of the ſame Nation, intended to go to *Madrid* to ſerve in one of the troops of the Life-Guards, of which he is Captain; and one M. *de Abaray*, a *Frenchman*, who was going to command part of the *French* troops in *Caſtile*; but the Viceroy *Don Franciſco de Velaſco* detain'd them all at *Barcelona* to aſſiſt him upon this occaſion.

The day following, which was the 23^d^, the wind began to abate, and the Prince of *Darmſtadt* return'd to the Fleet. The Gallies being favour'd by a calm got away, tho' the Frigates had come up very near them. As ſoon as the Prince was arriv'd, the Forces began to land, tho' not without difficulty, the Sea running very high, inſomuch that the Soldiers in ſome places were up to the middle in water; notwithſtanding all which they met with no oppoſition from the Enemy, who had all the conveniencies imaginable on their ſide; for they might have come under cover very near to the Landing-place, ſo that

that the fire from on board the Ships could not have diſturbed them. But no body appearing to diſturb our landing, the Inhabitants of the neighbouring Villages began to come in with great demonſtrations of joy for the arrival of the Fleet, and of the Catholick King, and brought boards for the Soldiers to get out upon, that they might not be wet; and many of them run into the water to carry the Officers aſhoar upon their backs. 3 Annæ, 1704.

The troops landed about three quarters of a League from the City, near a river call'd *Baſſoz*, which lies on the Eaſt ſide between the Town and a place call'd *Badalona*. The tranſport Ships went in cloſe to the ſhoar, and had ſo order'd their Boats that they might at every turn carry near 300 men. The firſt that landed were 200 Grenadiers, who were immediately drawn up near the river; at the ſame time they were landing more men, and in a little time more than five hours there were fifteen Battalions of foot on ſhoar. His Catholick Majeſty went on board a Yatcht, that he might land with more conveniency, and invited the *Conde* Ambaſſador to go with him. His Majeſty believ'd that the Enemy would have oppos'd his landing, or attack'd our men that were got on ſhoar; and our Generals, who had the ſame expectations, very much wondred that the Viceroy, and the other Officers that were with him, did not offer at it; which is attributed to want of confidence in his troops, and to a jealouſie that ſhould he have ſuffer'd them to march out of the City, the people, who have a moſt ſtrong inclination for their King *Charles* III. might riſe and declare for his Majeſty.

The

4 ANNÆ, 1705. The ſame day there was a Duel fought between two *Engliſh* Collonels of the Marines, one nam'd *Borr*, the other *Radney*, who were both much wounded, and the laſt died the day following.

The 24th the Dragoons, and part of the Horſe were landed, and they join'd the reſt of the forces, which were encamp'd about a quarter of a League from the Town, in a place well fortify'd by nature: This Camp extending it ſelf on the left near to the Sea, and being cover'd on the right by the river *Secchia*; and on the rear 'tis defended by the river *Baſſoz*, and by divers Hills and Defiles. The circumference of the City being ſo large that the Forces from the Fleet were not ſufficient to guard all the Poſts, the people of the Country, who are in our intereſt, aſſiſted us in ſecuring all the Avenues in ſuch manner, that nothing can get into the City; where they are in great want of all manner of neceſſaries, excepting bread: For which reaſon the Viceroy, upon ſeveral occaſions, gave leave to all uſeleſs people that would to go out, and he ſent out alſo ſeveral of the principal Inhabitants and others, whom he ſuſpected to be favourers of the Houſe of *Auſtria*.

The ſame day came in the Ships which had been ſent to *Denia*, and they brought advice that both the City and Caſtle had ſurrender'd, and the Inhabitants had declar'd for his Catholick Majeſty *Charles* III. and that the Governor, who at firſt ſeem'd willing to defend it, having an hour's time given him to reſolve upon what he had to do, and a Bomb-Ketch being at the ſame time ſent in near the ſhoar, he offer'd to deliver up the City and Caſtle, provided they would ſecure to him his Rights and Privileges: Upon which *Don John Ramos*, a Major-General,

was

was immediately made Governor; who in a ſo- 4 Anna, 1705.
lemn manner took poſſeſſion of the place in the name of his Catholick Majeſty. There were found in the Caſtle 200 Militia, and 25 pieces of Canon.

Moſt of the days following, till the 27th, were ſpent in the landing of Tents, Ammunition, and ſome Artillery, in viewing the place, and making Faſcines, the Country people voluntarily furniſhing us with what we wanted; as alſo with Beaſts and Carts to bring our things from the Sea to the Batteries, and to the Camp. We were alſo join'd by 4000 men from *Vich*.

The 27th a Council of war was held on board the Admiral, and his Catholick Majeſty reſolv'd to go on ſhoar the day following to encourage this expedition by his preſence, and ſhew himſelf to the people of the Country, who came from divers parts in great multitudes to ſee him, and to kiſs his hand: And accordingly his Majeſty landed the 28th at four in the evening, and when he went from on board the whole Fleet ſaluted him, that by this the Inhabitants of *Barcelona* might be aſſur'd that his Catholick Majeſty was come with the Fleet; for all poſſible means were us'd to prevent their being made believe that he was not there.

As ſoon as his Majeſty got on ſhoar, an infinite number of people who came from *Vich*, and divers other Towns and Villages, with great acclamations, and repeated cries of *Long live the King*, ran to the water-ſide, and caſt themſelves at his Catholick Majeſty's feet, and kiſs'd his hand with a thouſand demonſtrations of joy; inſomuch that it was a difficult matter for his Majeſty to get from among ſo great and joyful a multitude. But at laſt, mounting on horſeback, he rid to the Camp; where the forces were all

4 ANNÆ. 1705. drawn up in a Line to receive him; and when his Majeſty was got to his Quarters, they ſaluted him with a treble diſcharge of their ſmall Arms. Some days after his Catholick Majeſty landed, there came new orders from *England* to the General, the Earl of *Peterborough*; which oblig'd his Lordſhip, and the reſt of the Generals, to enter upon ſome conſiderations, and not to proceed with the ſame vigour in the attack of *Barcelona*. But the Prince of *Darmſtadt*, with a noble reſolution, perſiſting to inveſt the place, and to contrive ſuch methods of carrying on the ſiege, as might be liable to the leaſt hazard and difficulty, propos'd to the Earl of *Peterborough*, as a thing moſt expedient, to take the Citadel and Caſtle of *Montjuich* by ſurprize, which would be a means to reduce the City of *Barcelona* with the greater eaſe, by reaſon of the advantageous ſituation of this Fort, which commands the place; and deſired that his Lordſhip wou'd give him 1000 men, offering himſelf to conduct and command them, and he gave his Lordſhip the reaſon he had to hope for ſucceſs, acquainting him with the manner in which he intended to proceed in this attack; all which appear'd ſo plain to my Lord *Peterborough*, that his Lordſhip not only concurr'd with the Prince, but would alſo accompany him as a Voluntier; and they agreed that the day following, being the 14th of *September*, early in the morning, they ſhou'd put this deſign in execution: In order to which we got in a readineſs Scaling-Ladders, and all other inſtruments and things neceſſary for ſuch an attempt, and at ſix a clock in the evening a Detachment of 1000 men, moſt of them Grenadiers, was order'd to march by the way of *Serria*, and 1000 more follow'd at midnight to ſupport them if there ſhould be occaſion: To theſe laſt were join'd

join'd the Dragoons, who poſted themſelves in a place call'd the Cover'd Croſs, to hinder any Horſe that ſhou'd attempt to come out of the Town to cut them off. But the ways being bad, and the night very dark, our men were near twelve hours in their march, ſo that it was break of day by that time they came to the foot of the Mountain; and meeting there with ſome *Miquelets* who belong'd to the Enemy, they gave the alarm to thoſe in the Caſtle and in the Town; ſo that when the Prince arriv'd, he found the Garriſon in arms, with Guards in their Outworks, and they receiv'd us with a general diſcharge of their Artillery and ſmall Arms: but our Grenadiers and others, with ſword in hand, enter'd the Cover'd Way, and the Ditch, and got upon a Curtain which was not quite finiſh'd; and notwithſtanding the continual fire of the Enemy from all parts, they gain'd the Bulwark of a new Fortification, beat the Enemy out of it, and oblig'd them to retire into the Caſtle. 4 Annæ 1705.

At this time the Prince of *Darmſtadt*, who was preſent every where, being deſirous to puſh forward and poſſeſs himſelf of a Poſt that could hinder the Enemies communication with the Town, and which being in their hands, gave them the advantage of receiving ſuccours from thence, he advanc'd with great eagerneſs through all the fire from two Bulwarks and a Curtain, without any ſhelter, and was ſhot with a Muſquet Ball, which paſſing through his Thigh, tore an Artery, by which the Prince loſing a great quantity of blood, after he had march'd above fifty paces, animating our men, as though he knew nothing of his being wounded, at laſt fell down; the ſtrength of his body, and the vital ſpirits of that great Heart being no longer able to ſupport him; to whoſe undaunted cou-

4 ANNÆ, 1705. rage no danger nor wound cou'd otherwiſe ever have put any ſtop.

The Prince thus failing, they carried him off to a little houſe that was near, and as ſoon as he was brought thither, before they could look upon the wound, he expired, to the great grief of every one, for the loſs of a Perſon that was of ſo great a conſideration in the preſent dangerous occaſion.

This diſmal accident ſtruck a damp upon the Soldiers ſpirits, who had great confidence in the Prince; and they began to be diſhearten'd much more when they ſaw the Marquis of *Riſbourg* was marched out of *Barcelona* to ſuccour the Line of communication, and had brought into the Citadel above 300 Grenadiers. But the Earl of *Peterborough*, who was in another place, having advice of the Prince's death, immediately went to that Poſt, and according to his known valour compos'd the minds of the Soldiers, who were in ſome ſort of confuſion, and made them return and repoſſeſs themſelves of their Poſts, which they were beginning to abandon; his Lordſhip behaving himſelf with that greatneſs of Soul, and that prudence, which ſhew'd him capable in every reſpect of ſupplying the place of ſo valiant a Prince; and his preſence reſtor'd our matters, which were in a hazardous condition. A Company of *Caſtilians*, with their Captain, and another of *Engliſh* and *Dutch*, commanded by an *Engliſh* Collonel, poſſeſſed themſelves of the Ditch of the Caſtle, in order to take the Gate; being encourag'd thereto by ſome of the Enemies having thrown up their Hats in honour of King *Charles* III. and declar'd for him. The Marquis of *Riſbourg*, with the Grenadiers, came up in the mean time, and having cut off their retreat, oblig'd them to lay down their

their arms, and afterwards ſent them priſoners in- 4 ANNÆ
to the Town, and with them thoſe who had 1705.
declar'd for the Catholick King, changing part of the Garriſon of the Caſtle. And having thus compos'd all matters, he retir'd, fearing to be intercepted in his retreat, as our *Miquelets* had deſign'd he ſhould, who a little while after gain'd a Fort call'd S. *Bertram*, in which were five pieces of Canon; and the communication between the Town and the Citadel was thereby entirely cut off.

Having taken theſe five pieces, beſides four more which our people had gained in the other Poſts they had taken, we began to cover our ſelves and make Lodgments, and to batter the Caſtle, but to little purpoſe, becauſe thoſe pieces were of too ſmall a bore, and the Walls were thick. But having ſecur'd the Poſts, and wholly cut off the communication with the Town, it was reſolv'd to ply them with Bombs and Granadoes to oblige them to ſurrender; but the Governor, a *Neapolitan* Gentleman, nam'd *Don Charlete Caracholi*, held out reſolutely: However, the 17th of *September*, a Bomb falling in a place where lay ſome powder, blew up part of the Wall and of the Gate, and the Governor was buried under the ruins, together with ſeveral other Officers and Soldiers. At this time there was a Collonel upon the Guard, whoſe name I am ſorry I know not, that I might give him the praiſe he deſerves; who improving this occaſion, immediately run ſword in hand to the place that was blown up, and finding the Enemy in confuſion at this accident, took the Caſtle, making the Garriſon priſoners of war.

This Poſt of *Montjuich* is of the greateſt importance, for it commands the City, being upon an Eminence; and beſides on that ſide the

4 ANNÆ. 1705. Fortifications of the Town are weakeſt, ſo that it will very much facilitate our gaining the place. Immediately the Trenches were order'd to be open'd, which was begun the 19th of *September*. Some nights before we began to bombard the place from the Seaward with great ſucceſs, for our Bombs ſet fire to ſeveral parts of the City, and, amongſt others, to the Palace of the Viceroy, and the Deputation-houſe; which cauſed ſuch a conſternation among the people, that the Viceroy gave leave to any one that would to go out, ſo that the Town is in a manner diſpeopled, for the greateſt part of the Inhabitants, principally the Women and Clergy, and the Nuns retir'd; whom *Don Franciſco de Velaſco* very inhumanly ſent out of the Gates without Guards or Paſſes to conduct them to any certain place. But his Catholick Majeſty, on the contrary, with a great deal of goodneſs, order'd that theſe people ſhou'd immediately be taken care of in the neighbouring Towns and Villages; ſhewing by his benevolent *Auſtrian* clemency in this very beginning to theſe his poor ſubjects, how much the *Spaniſh* Nation is owing to them.

The 21ſt of *September* his Catholick Majeſty remov'd his Quarters towards *Serria*, that he might be nearer to the attacks which are to be made on the ſide of *Montjuich*, having order'd the greateſt part of the forces to paſs thither, becauſe the place where his Majeſty lay before with the main body of the Army was too diſtant; and to prevent the Enemies doing us any harm on that ſide, and that the people of this Country who are in arms for us might be ſecur'd, together with the *Miquelets* who are poſted there to keep the City cloſely block'd, a Line is drawn from the Sea to the river *Secchia*, and it is intended

tended to drown the Country before it, ſo that the Army will remain ſecure from any Enterprize on that ſide. The Batteries, conſiſting of 52 pieces of Canon, began to play the 22d, as thoſe of the Fleet did likewiſe; ſo that it is hop'd in a very ſhort time the breach will be made, and that the place will ſurrender, or will be taken by ſtorm, through the great valour of the two undaunted Nations, the *Engliſh* and *Dutch*; to which the aſſiſtance of the *Catalons*, who are in arms for his Catholick Majeſty, will greatly contribute; the whole Principality having in a manner ſubmitted to him, and the greateſt part of the Nobility being come to ſerve him, all with their Arms and Horſes, beſides above 8000 Soldiers arm'd with Guns and Piſtols; and ſo great is their ſatisfaction, and the loyalty of theſe people to their true and lawful King, that they are wanting in nothing that can be required of them, furniſhing us with all manner of proviſions and neceſſaries; and the Nobility and Clergy have offer'd to his Catholick Majeſty their Perſons and Eſtates, and even the Plate belonging to the Churches; which great reſolution and loyalty will render the name of a *Catalan* famous to all ſucceeding ages. 4 Annæ, 1705.

His Catholick Majeſty ſent the Queen of *Great Britain* the following Relation of his ſucceſſes in *Catalonia*, *viz*,

MADAM, my SISTER,

I Had not delay'd to remind your Majeſty of my ſincere reſpects, had I not waited for a good occaſion of doing it, which I have now met with, in having the honour to let you know that the Town of *Barcelona* has ſurrender'd to me by capitulation. I make no doubt but you will receive this great news with an entire ſatiſ-

King Charles's *Letter to Queen* Anne *after the taking of* Barcelona Tarragona, Gironne, Lerida, *&c.*

4 ANN. 1705. faction, as well becauſe this happy ſucceſs is but an effect of your ever glorious Arms, as by reaſon of thoſe kind and tender Sentiments of a Parent, with which you conſider me, and all that may contribute to the advancement of my intereſt.

I muſt do this juſtice to all your Officers and common Soldiers, and in particular to my Lord *Peterborough*, that he has ſhewn throughout this Expedition, a Conſtancy, Valour, and Conduct, worthy the choice which your Majeſty has made of him, and that he could not give me greater ſatisfaction than he has done of the great zeal and application which he has equally ſhewn for my intereſt and ſervice. I owe the ſame juſtice to your Brigadier-General *Stanhope*, upon account of his great zeal, attention, and moſt prudent conduct, of which he has given me proofs in all manner of occaſions; as alſo to all your Officers of the Fleet, and principally to your worthy Admiral *Shovel*, aſſuring your Majeſty that he has ſeconded me in this Expedition with an inconceivable readineſs and application; and that no Admiral can ever make me more content than he has done during the ſiege of *Barcelona*. Some of your Majeſty's Ships, together with the troops of the Country, have reduc'd the Town of *Tarragona*, and the Officers remain'd priſoners of war. Other troops of the Country at the ſame time made themſelves maſters of the Town of *Gironne* by a Stratagem. The Town of *Lerida* has ſubmitted to me, as has alſo the Town of *Tortoſa*, on the river *Ebro*; ſo that all the places in *Catalonia* are taken, except the Town of *Roſes*: Some places in *Arragon*, not far from *Saragoſa*, have declar'd for me, and the Caſtle of *Denia*, in *Valentia*, ſtill holds out, and has repuls'd the enemy; four hundred of

their

their Horſe have entred into my ſervice, and a great number of their Foot have deſerted: This, Madam, is the condition in which your Arms, and the inclination of the people, have plac'd my affairs. I need not tell you what puts a ſtop to the courſe of theſe Conqueſts, it is neither the Seaſon nor the Enemy; thoſe are no obſtacles to your troops, who deſire nothing more than to be in Action, under the conduct they now are. The taking of *Barcelona* with ſo ſmall a number of troops is remarkable enough, but few examples will be found of what has happen'd in this ſiege, ſeven or eight thouſand men of your troops, and two thouſand *Miquelets*, have ſurrounded and inveſted a place which thirty thouſand *French* were not able to do. 4 Annæ, 1705.

After a march of thirteen hours, they climbed up Rocks and Precipices to attack a Fortification ſtronger than the Town, of which the Earl of *Peterborough* ſends you the Plan; and two Generals entred with the Grenadiers on this attack with ſword in hand (where the Prince of *Heſſe* met with a glorious death after ſo many noble Actions, and I hope that his Brother and his Family will always have your Majeſty's protection;) with 800 men they forc'd the Cover'd Way and all the Intrenchments and Works, one after another, to the laſt retreat, againſt 500 men of the troops that guarded the place, beſies the Reinforcement they had receiv'd, *&c.* Three days after they were maſters of the place the Town was attack'd under the Caſtle, and the Canon and Artillery were again landed with inconceivable pains and labour; two Camps were maintain'd, and a communication preſerv'd between them, though near three Leagues diſtant from each other, againſt a Garriſon almoſt as numerous as our Army, and who in Horſe were

4 ANNÆ, 1705. twice as ſtrong as our ſelves. The firſt Camp was ſo well intrench'd, that it was defended with 2000 men, beſides the Dragoons, while the attack was carried on with the reſt; and as ſoon as a breach was made, the diſpoſition was form'd for giving the aſſault with the whole Army: Theſe, Madam, are circumſtances that perhaps diſtinguiſh this Action from any other.

There happen'd another accident which was never known before; the cruelties of the pretended Viceroy, and the report that he intended to carry away ſeveral priſoners, contrary to the Capitulation, had ſtirred up the Burghers, and ſome of the Country to take Arms. The Garriſon being employ'd in loading their Baggage, in order to march out the next day, found themſelves in a very great confuſion, and all things tending to a ſlaughter, when your Majeſty's troops enter'd the Town with the Earl of *Peterborough*; and inſtead of buſying themſelves with plundering, as is uſual in ſuch occaſions, they appeaſed the diſorder, and ſaved the Town, and even the lives of their Enemies, with a diſcipline and generoſity without example. Nothing remains but that I return you my moſt reſpectful thanks for having ſent me ſo great a Fleet, and ſo good and valiant troops to aſſiſt me. After ſuch happy beginnings, I thought it proper, according to the opinion of your Generals and Admirals, to maintain in Perſon the Conqueſts we have made, and to ſhew my ſubjects, who are ſo affectionate to my Perſon, that I cannot abandon them: I receive ſo great an aſſiſtance from your Majeſty and your generous Nation, that I am overcome with your goodneſs, and in the greateſt confuſion that I ſhould be the occaſion of ſo great an expence for the ſupporting of my intereſt. But, Madam, I give you my own Perſon, and my

ſubjects

ſubjects in *Catalonia*, who expoſe their lives and fortunes upon the aſſurances they have of your generous protection. Your Majeſty and your Council know better than we what is neceſſary for our preſervation: We ſhall wait for your Majeſty's ſuccours with an entire confidence in your goodneſs and wiſdom: It may be ſeen what Forces are neceſſary: It may be alſo ſeen how great a diverſion we ſhall give to *France*: It cannot be doubted but they will make their utmoſt efforts againſt me as ſoon as poſſible, and I doubt not but the ſame efforts will be us'd by my Allies to defend me. What can be ſaid to you, Madam? Your goodneſs gives you the inclination, and your power furniſhes you with the means to ſupport thoſe whom the tyranny of *France* wou'd oppreſs. All I can ſuggeſt to your wiſdom, and that of your Allies, is, that the Forces employ'd in this Country will not remain uſeleſs to the publick good, but will be under an obligation and a neceſſity to act with the utmoſt vigour againſt the Enemy. I am ever, with the moſt ſincere affection, reſpect, and gratitude, 4 Annæ, 1705.

MADAM, *my* SISTER,

From the Camp at Serria, *before* Barcelona, October *the* 22d 1705.

Your moſt affectionate Brother,

CHARLES.

On the 15th the Shops in *Barcelona* were again open'd, as in the time of peace, and all was in profound tranquillity. After the example of *Barcelona*, all the places in *Catalonia*, except *Roſes*, immediately ſubmitted to King *Charles*; who made his publick Entry into that City in great pomp, and receiv'd an oath of fidelity of the Citizens. The ſeaſon of the year requiring the

4 ANNÆ, 1705. the Fleet to return home, King *Charles* reſolv'd to continue in *Catalonia* for the encouragement of the *Catalans*, together with the Earl of *Peterborough*, and the Land Forces, and all the Marines that cou'd be ſpar'd from on board the Fleet: And Sir *Cloudſley* ſet ſail for *England*, leaving in his way 25 ſail of *Engliſh*, commanded by Admiral *Leake*, and fifteen *Dutch*, under the command of Admiral *Waſſenaer*, to winter at *Liſbon*: He alſo left four *Engliſh* and two *Dutch* Frigates at *Barcelona* to attend King *Charles*.

The *Catalans* took all proper meaſures for ſecuring *Tarragona*, *Tortoza*, *Lerida*, *Gironne*, *&c.* which they had made themſelves maſters of during the ſiege of *Barcelona*, and they alſo rais'd ſix Regiments for the King's ſervice, beſides a Regiment of 500 Dragoons his Majeſty had form'd out of the late Garriſon, that took ſervice under him for his Guard, and which was commanded by Count *Zinzendorf*. At the ſame time *Don Raphael Nebot*, a *Catalan*, who had already three Brothers in the ſervice of King *Charles*, came over to him alſo with his whole Regiment, conſiſting of 500 Horſe, beſides 150 other Horſe that join'd him on the way. Theſe being join'd by General *Ramos*, and abundance of *Miquelets*, publiſh'd a Declaration, inviting all true *Spaniards* to come over to them; whereupon Deputies came from ſeveral Towns in *Valentia* to make their ſubmiſſion to King *Charles*. Being encourag'd by theſe ſucceſſes, they march'd with 1000 Horſe, and 500 Foot, and a body of the *Miquelets* to *Valentia*, the Capital of that Kingdom; where, by the aſſiſtance of the Inhabitants, they made themſelves maſters of the place, and took the Viceroy and the Archbiſhop priſoners; and thereupon the whole Kingdom of *Valentia*,

Valentia, except *Alicant* and *Peniſola*, revolted to King *Charles*; and he appointed the *Conde de Cifuentes* (who came over to him ſoon after his landing) to be Viceroy of that Province. And had the *Portugueſe* made any diverſion, as they promis'd, or but permitted their Allies the *Engliſh* and *Dutch* to have advanced to the Frontiers of *Spain* at this time, 'tis not improbable but all *Spain* had ſubmitted to King *Charles*; for the Grandees were ſo diſguſted at the influence they ſaw *French* Councils had in all their affairs, and of ſome promotions of the ſubjects of that Nation, that when King *Philip* call'd the Grandees together to conſult with them in this exigence, they refus'd to aſſiſt him with their Purſes, or even with their advice. But notwithſtanding all the Repreſentations of the Earl of *Galway*, and the Confederate Generals, the *Portugueſe* cou'd not be drawn out of their Quarters till the beginning of *October*, when they laid ſiege to *Badajox*, and one would think, only with a deſign to raiſe it; for they ſuffer'd themſelves to be ſurpriz'd by the Marſhal *de Theſſe*, who threw a ſupply of troops and proviſions into the Town after they had made ſome progreſs in the ſiege: Whereupon the Beſiegers drew off their Batteries, and march'd into Winter Quarters. 4 ANNÆ, 1705.

Of the raiſing this ſiege, the *Paris Gazette* gave the following account.

French account of the raiſing the ſiege of Badajox by the Allies.

The 18th of this month the Chevalier *de Montlieu*, a Captain in the Regiment of *Moſcoſa*, arrived here from the Camp before *Bajadox* with the following news. That the Enemy, with 20000 Foot and 5000 Horſe, according to the reports of Deſerters and Priſoners, begun the ſiege on the 2d inſtant. The firſt eight days they

4 ANNÆ, 1705. they advanced their attacks little or nothing, tho' during that time they loſt abundance of Men by the Canon from the walls, and by Sallies; however, ſince they had above 30 pieces of Canon, they were in hopes of ſucceſs, and the more becauſe they had made a Breach. Monſieur *de Theſſe*, without expecting the Troops that were to join him, having caus'd the Marquiſs *de Bay* to march before, paſs'd the *Guadiana* in ſight of the Enemy on the 14th at night, and put himſelf in Battel array to attack them. They alſo drew up in order of Battel, but made no other effort than to attack our Rear, but two Regiments of Dragoons, which brought up the ſame, vigorouſly ſuſtain'd their charge, and forc'd them to retire over the Fords of the *Guadiana*. We continued for three hours to fire one upon another with little loſs on our ſide, and the Enemies went back to their Camp. Monſieur *de Theſſe* put a thouſand Men into the place, and encamped within Muſquet-ſhot of it. The 16th the Enemy having drawn off their Artillery, ſent it, together with their Baggage, in great precipitation, towards *Olivença*, and they themſelves march'd the ſame way on the 17th. We found in their Camp 10000 Bullets of all ſizes, 600 Bombs, 30 Carriages for Canon, with a great many Granades and Utenſils for digging. My Lord *Galway* being in a Battery, had his Arm ſhot off by a Canon Ball, and he ſent to deſire a Paſſport to be carried to *Olivença*. We are aſſured they loſt above 2000 Men during the ſiege. Monſieur *de Theſſe* having thus relieved the Place, ſent back part of the Militia that was come to the Army, and countermanded thoſe that were on their march. All the Province of *Eſtremadura*, at the firſt news of the ſiege,

ſiege, was in motion to ſend Troops, Horſes, Arms, Proviſions and Ammunition to the Army, for the defence of their Country. 4 ANNÆ, 1705.

Madrid, October 23.

The following Account of the raiſing the ſiege of *Bajadox*, was publiſh'd by the Allies, *viz.*

Account of the raiſing the ſiege of Badajox *by the Allies.*

On the 7th of *October*, the Army being then before *Badajox*, they had intelligence that the Marſhal *de Theſſe* was drawing his Troops together near *Talavera*, whereupon there was a new diſpoſition made of our Camp, the left being extended over the *Guadiana* towards the Bridge on the *Xevora*, for the better preventing of the Enemy's ſuccouring the Town, and to ſecure our Bridges of Communication upon the *Guadiana*. The 8th Lieutenant General *Fagel* came to the Camp. The 11th a Battery of thirty 24 Pounders, and another of 14 Mortars, were finiſh'd, and began early in the morning to play upon the Town. In the afternoon ſome Powder of the great Battery took fire, which occaſioning a diſorder, the Earl of *Galway* immediately went thither in perſon, to give the neceſſary directions for preventing any ill conſequences that might follow from this accident. While his Lordſhip was there, his Right-hand was unfortunately ſtruck off above the wriſt by a Canon-ſhot from the Town, and it was found neceſſary to cut off his Arm a little below the elbow, which ſucceeded very well: His Lordſhip thereupon being oblig'd to leave the Army, retir'd to *Elvas*, and is now in a fair way of recovery. It is not eaſily to be expreſt how much the whole Army was concern'd for this unfortunate accident, which is ſo much the more to be lamented, ſince

the

4 ANNÆ. 1705. the diſpoſitions his Lordſhip had made were not purſu'd in the manner he had deſign'd them. However, the ſiege was carried on, and a practical Breach being made, they were preparing on the 13th to give an aſſault that night. But between ten and eleven, they had intelligence, that the Enemy's Forces were paſſing the *Guadiana*; whereupon a Council of War was called, and it was reſolved to march againſt them. Accordingly part of the Army being left to guard our Attacks and Batteries, the reſt of our Forces paſſed the *Guadiana* the next morning, and drew up in order of Battel. The Enemy in the mean time had paſſed the *Xevora*, and had formed their Troops on the other ſide of that River, which was between the two Armies, only 10 or 12 Squadrons of their Dragoons remained on a riſing ground on the ſame ſide with our Army, whom Lieutenant General *Wyndham* attack'd with 7 Squadrons, and puſh'd them into the River, with great diſorder and loſs of the Enemy's ſide. The two Armies canonaded each other about two Hours, after which our Troops return'd to their Camp. The Enemy having in the mean time, by the advantage of a Paſs they had ſecured, thrown ſuccours into *Badajor*, we withdrew our Artillery from the Batteries; and the 17th our Army decamp'd and paſs'd a Brook, called *Calomon*. The Marſhal *de Theſſe* appeared upon ſome riſing Grounds with part of his Army, but the march of our Troops being covered by the Marquiſs *de Montandre* with 6 Battalions and 8 Squadrons, our Army drew off in very good order without any loſs, and encamped the next day at *Telena*. The 19th it paſs'd the *Guadiana*, and all our Artillery was brought into *Elvas*.

We

We ſhall now return to *England*, where the Whigs carried all before them. *William Cowper*, Eſq; was made Keeper of the Great Seal the 13th of *October* in the room of Sir *Nathan Wright*; and my Lord *Abingdon* was removed from his places of Conſtable of the *Tower*, and Lord Lieutenant of *Oxfordſhire*. On the 25th the Parliament met, and *William Bromley*, Eſq; and *John Smith*, Eſq; being Candidates for the Chair, the Whigs carried it for Mr. *Smith*, by a majority of above 40 Voices; and being preſented to the Queen the 27th, her Majeſty approv'd their choice, and made a Speech to both Houſes, wherein ſhe tells them, they are convinc'd of the neceſſity of carrying on the War; for that if the *French* King ſhou'd continue maſter of the *Spaniſh* Monarchy, he wou'd be able to engroſs the Trade and Wealth of the World; and they had learnt by experience, that no Peace with *France* would laſt longer than the firſt opportunity of dividing the Allies, and attacking ſome of them with Advantage: She therefore deſires the Commons to give all diſpatch to the Supplies for carrying on the War by Sea and Land; and tells them, they ſhall not only be frugally huſbanded, but ſhe will continue to add to them out of her own Revenue: She told them, that the Parliament of *Scotland* had paſs'd an Act, impowering her to appoint Commiſſioners to treat of an union as had paſs'd in *England* laſt Seſſion, and hop'd ſhe ſhou'd have their aſſiſtance in bringing this great work to a concluſion: But there was another union, namely, a union among themſelves, which ſhe earneſtly recommended; and ſaid, ſhe cou'd not without grief obſerve, that there were ſome amongſt them who endeavour'd to foment animoſities, and had even in print affirm'd the eſta-

4 ANNÆ. 1705.

Mr. Cowper made Lord Keeper.

The Parliament meets.

Queen's Speech.

bliſh'd

4 ANNÆ, 1705. bliſh'd Church to be in danger; and that they who went about to inſinuate ſuch things were her's and the Kingdom's Enemies; and that the beſt proof of their zeal for the preſervation of the Church, wou'd be to join heartily in proſecuting the War againſt an Enemy, who wou'd extirpate their Religion, and reduce them to ſlavery.

That ſhe wou'd always affectionately ſupport the eſtabliſh'd Church, and wou'd inviolably maintain the Toleration: That ſhe wou'd do all ſhe cou'd to prevent their diviſions, and make them all ſafe and happy; and they who wou'd concur with her in theſe good deſigns, ſhou'd be ſure of her favour.

The Reader need not be told who were at the Helm at this time.

Lords Addreſs. In anſwer to her Majeſty's Speech on the 1ſt of *November*, the Lords preſented an Addreſs, concurring in all her Majeſty deſir'd of them; and deſiring and beſeeching her to proſecute and puniſh with the utmoſt rigour of Law all thoſe who ſhou'd ſuggeſt the Church to be in danger, as being the moſt ſpiteful and dangerous Enemies to Church and State.

Commons Addreſs. The Commons alſo addreſs'd her Majeſty on the 6th of *November*, wherein they ſhew'd their indignation againſt thoſe Incendiaries who ſhou'd ſuggeſt the Church of *England* to be in danger.

Lord Haverſham's *Speech.* On the 15th of *November* the Lord *Haverſham* made a Speech in the Houſe of Lords, wherein he complains, That the *Imperialiſts* did not join the Duke of *Marlbro'* on his march to the *Moſelle*, whereby that deſign prov'd abortive. Then he takes notice, that the *Dutch* prevented the Duke's engaging the *French* after he had forc'd their Lines: *We had then*, he ſaid, *a*

fair

fair opportunity of putting an end to the War at once, but the Dutch *held our hands, and would not let us give the deciding blow.* Therefore, says he, *Let our supplies be never so full and speedy; let our management be never so great and frugal; yet if it be our misfortune to have Allies that are as slow and backward, as we are zealous and forward; that hold our hands, and suffer us not to take any opportunity that offers; that are coming into the field when we are going into winter Quarters; he cou'd not see what it was we were reasonably to expect in this War.* 4 Ann. A. 1705.

The next thing he hinted at was the decay of our Trade. He said, there was a word we were very fond of, which we call'd *The Balance of Power*; but the *Dutch*, who were a very wise People, had a double view, and took as much care of *The Balance of Trade*, as they did of the *Balance of Power*; and were as much afraid of our Power by Sea, as of the Power of *France* by Land: That Trade begets Wealth, as Wealth begets Power; and it was very hard for *England*, that while the *Dutch* liv'd at peace under the protection of our Arms, if we wou'd have any part of Trade with them, we must have it under the protection of *French* Passes. That the *Dutch* indeed complain'd they were poor, but he did not see how they had been out of pocket one shilling since the War; for they had more by Remittances and Money from *England*, than all the Money that went out of their Country to *Portugal*, *Savoy*, and the *German* Princes.

He animadverts also on a Paragraph in her Majesty's Speech to the last Parliament, wherein she tells them of some heats in the House, which he said was unparliamentary; for that the Prince ought not to take notice of any thing

4 ANNÆ, 1705. transacted in Parliament, till it is laid before her in a parliamentary way.

Motion for inviting over the Princeſs Sophia rejected.

But the principal deſign of this Speech ſeems to be the inviting over the Princeſs *Sophia*, and therefore he concluded with a motion, That an Addreſs might be preſented to her Majeſty to invite over the preſumptive Heir of the Crown to reſide here: And the previous Queſtion being put, Whether that Queſtion ſhou'd be put, it paſs'd in the negative. However, the Lords thought fit to bring in a Bill for the farther ſecurity of the *Hanover* Succeſſion.

Motion to enquire into the miſcarriages of the laſt Campaign rejected.

On the 22d of *November* the Lord *Haverſham* mov'd, That the miſcarriages of the laſt Campaign, occaſion'd by the Allies, might be enquir'd into; which being put to the Vote, was carried in the negative by a great majority: And the Commons being about to grant the Supplies for the year, it was put to the Vote, Whether it ſhou'd be referr'd to the Committee to conſider, that in the Clauſe for adding ten thouſand Men to act in conjunction with the *Dutch*, it ſhou'd be provided, that they ſhou'd be oblig'd to leave off trading with *France*; it was carried in the negative by a great majority: *Such an influence have the* Dutch *here when Whiggiſm prevails.*

Captain *Norris* about this time arriv'd Expreſs, with an account of King *Charles*'s ſucceſs in *Catalonia*; whereupon the Queen made a Speech to both Houſes, wherein ſhe preſſes them for Supplies to ſupport that Prince. The Commons, in an Addreſs, congratulated the ſucceſs of her Majeſty's Arms in *Catalonia*, and aſſur'd her they wou'd enable her to proſecute the great Advantages obtain'd there.

Addreſs to cultivate a good underſtanding

Both Houſes alſo addreſs'd her Majeſty to cultivate a good underſtanding with the Allies, and

and particularly with the *Dutch*; and that as ſhe had ſet them a noble example, ſhe wou'd uſe all proper means to excite the whole Confederacy to make early and effectual preparations, and to exert their utmoſt vigour in the proſecution of the War. 4 ANNÆ 1705. *with the* Dutch.

In the beginning of *December* an Act paſs'd for naturalizing the Princeſs *Sophia*, and her Iſſue. But a motion being made in the Houſe of Commons by Sir *Thomas Hanmer* for inviting over the Princeſs *Sophia* (altho' it was ſeconded by Mr. *Benſon* and Mr. *Bromley*) that matter was nevertheleſs drop'd.

About this time the Lord *Halliſax* mov'd the Houſe of Peers, that a day might be appointed to enquire into *the Dangers of the Church*, that ſome Gentlemen ſeem'd ſo apprehenſive of. This was done in order to condemn and fix a brand upon all thoſe who ſhou'd ſuggeſt that the preſent Miniſtry had any underhand deſigns againſt the Church: For tho' it is very true, as the friends of the Church urg'd, that there was danger to be apprehended to this Eſtabliſhment from the Preſbyterians of *Scotland*, who were not then come into the ſame Succeſſion: From the want of a Bill to prevent occaſional Conformity, whereby the greateſt Enemies to the Church might qualify themſelves to hold Offices of Truſt and Authority in Church and State, to the ruin of both: And from the liberty of the Preſs, and the licenſe of the Times, wherein no reſtraint was laid upon thoſe who wou'd abuſe and vilify the Eſtabliſhment; tho' theſe were dangers ſufficient to juſtify the People's apprehenſions, yet the Miniſtry were conſcious the greateſt danger was apprehended from themſelves; and therefore they took theſe meaſures to awe thoſe People into ſilence, who imagin'd they had a deſign to ſup- *Motion concerning* the danger of the Church.

4 ANNÆ, 1705. preſs Epiſcopacy. They knew their ſtrength in both Houſes, and were pretty ſure of the event when they reviv'd this diſpute of the Church's danger; and, according to their expectations, after the matter had been very warmly debated in the Queen's preſence, firſt the Peers, and afterwards the Commons, join'd with them in the following Reſolution, *viz.*

Reſolv'd, that thoſe who ſuggeſt the Church to be in danger, are Enemies to the Queen, &c.

Reſolv'd by the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, That the Church of *England*, as by Law eſtabliſh'd, which was reſcued from the extremeſt danger by King *William* III. of glorious memory, is now, by God's bleſſing, under the happy Reign of her Majeſty, in a moſt ſafe and flouriſhing condition: And that whoever goes about to ſuggeſt and inſinuate, that the Church is in danger under her Majeſty's Adminiſtration, is an Enemy to the Queen, the Church, and the Kingdom.

The Houſes alſo addreſs'd her Majeſty, to ſhew her indignation againſt ſuch wicked People as ſhou'd ſuggeſt the Church to be in danger; and that ſhe wou'd cauſe their reſolution to be made publick to deter Men from ſpreading ſuch reports. And the Queen, in her anſwer, comply'd with them, and order'd a Proclamation to be iſſued accordingly, and for diſcovering the Author and Printer of the Memorial of the Church of *England*.

And now the Miniſtry look'd upon themſelves as ſecure, having ſtop'd the mouths of their Enemies by an authority little leſs than an Act of Parliament; and ſince the whole Legiſlature were concern'd in it, it was ſtrange they did not reduce it to an Act, and make it Felony or Treaſon to ſuggeſt any dangers to the Church during their pious Adminiſtrations.

The

The great Duke, by his going over to the interest of the Whigs and Dissenters, had sufficiently irritated the Gentlemen he left; and the more because they had formerly supported him against these very Men, and laid the foundation of his present Grandeur. In the debates on the Bill for the better security of her Majesty's Person, and the Protestant Succession, Mr. *Cæsar*, Member for *Hartford*, among many other warm Expressions, let fall these words, *viz. There is a noble Lord, without whose advice the Queen does nothing, who in the late Reign was known to keep a constant Correspondence with the Court of St.* Germains. The Commons cou'd not bear this reflection on their favourite General, but resolv'd, That the words were highly dishonourable to her Majesty's Person and Government, and that Mr. *Cæsar* shou'd be sent to the *Tower*. The Duke arriv'd a little after from *Holland*, and when the Commons return'd him their Thanks for his great services the last Campaign, his Grace told them, He was so sensible of the great Honour that was done him, that he cou'd not have the least concern at the reflections of any private malice, while he had the satisfaction of finding his faithful endeavours to serve the Queen and the Kingdom, so favourably accepted by the House of Commons. 4 ANNÆ, 1705.

The Duke piqu'd at some reflections made by his old friends.

Edwards, who printed the Memorial of the Church of *England*, about this time surrender'd himself on a promise of his pardon, if he wou'd discover the Author, and named Sir *Humphrey Mackworth*, and some other Members of the Commons; but the Copy being brought him by a third Hand, he was not able to make good the Charge, and so the matter slept.

In *February* the Court went into mourning for Queen *Katherine*, Dowager to King *Charles* II. *Queen Dowager to*

4 ANNÆ, 1705. She died at *Liſbon* the 31ſt of *December*, N. S. and tho' the Whigs formerly charg'd her with the Popiſh Plot, and even with a deſign of poiſoning the King her Huſband, ſhe was ſo happy at laſt to die in their good Graces, and acquitted even in their opinion of any ſuch intention.

King Charles II. *dies.*

The Lords preſented an Addreſs to the Queen this Seſſions for putting the Laws in execution againſt Papiſts, and reputed Papiſts, and deſiring ſhe wou'd require the Clergy to give an account of all Papiſts, and reputed Papiſts, in their ſeveral Pariſhes: And both Houſes join'd in another Addreſs to her Majeſty, that ſhe wou'd give orders for the diſcovery and proſecution of the Author, Printer, and Publiſher of a certain Pamphlet, entitled, *A Letter from Sir* Rowland Gwyn *to the Right Honourable the Earl of* Stamford; which they had reſolv'd to be a ſcandalous, falſe and malicious Libel, tending to create a miſunderſtanding between her Majeſty and the Princeſs *Sophia*. The drift of this Pamphlet ſeem'd to put the two Houſes upon addreſſing the Queen to invite over the Princeſs *Sophia*: And this matter having been firſt mov'd by the Friends of the Church, was at this time violently oppos'd by the Whigs, tho' it can hardly be ſuppos'd they did it for any other reaſon than becauſe it was not ſtarted by themſelves, or for fear Churchmen might ingratiate themſelves with that Family, and ſhou'd confute thoſe Calumnies that the Whigs had an opportunity of infuſing into them, on the other ſide the water, without controul.

Diſputes between the two Houſes of Convocation, con-

The Convocation met this year the ſame day the Parliament ſate; and the lower Houſe being directed to make choice of a Prolocutor, choſe the Reverend Dr. *William Binks*, Dean of *Litch-*

field,

field. Then the upper Houſe proceeded to draw up an Addreſs to the Queen, wherein they expreſs much reſentment againſt thoſe who ſuggeſted the Church to be in danger, and ſent it to the lower Houſe for their concurrence; but the Committee, to whom the conſideration of this Addreſs was referr'd, thought it not ſo proper to make any amendments, as to draw up a new form of their own; in which they ſeem as ready as the upper Houſe, to acknowledge that the Church cou'd be in no danger *from her Majeſty*, but are not ſo clear in their aſſertions that it cou'd be in no danger *from others* during her Majeſty's Reign. This Addreſs the lower Houſe preſented to his Grace in the upper Houſe of Convocation, on *Monday* the 19th of *November*. Hereupon the upper Houſe acquainted them, they cou'd not receive their Addreſs; but requir'd them to go back to their own Houſe, and conſider the Addreſs that was ſent them down, and that they expected they ſhou'd either agree to it, or bring up their exceptions.

4 Anne 1705. *Concerning an Addreſs to the Queen.*

Whereupon the lower Houſe drew up a Paper, wherein were theſe Reſolutions. 1. That they were inveſted with an unqueſtionable Right of diſſenting finally from any thing propos'd to them by the upper Houſe for their concurrence, without ſpecifying the reaſons of ſuch diſſent. 2. That their Lordſhips Demand of ſuch ſpecial Exceptions, after they had declar'd ſuch a general Diſſent, is contrary to the known method of proceeding in Aſſemblies which conſiſt of two Houſes, and without precedent: And that they conceiv'd it an eſſential Right of the lower Clergy, that every Propoſal, lawfully made by them, ought to be receiv'd by their Lordſhips; and they did again, with all humility, beſeech

4 ANNÆ, 1705. their Lordſhips to receive their form of an Addreſs; hoping they wou'd be ſatisfied that the lower Houſe did not decline concurring in the Form ſent down by their Lordſhips, for want either of an entire confidence in her Majeſty's affectionate care for the Church of *England*, or a juſt reſentment of the wicked practices of ſuch perſons as endeavour'd to raiſe any jealouſies concerning it.

This Paper being preſented to their Lordſhips, and read, they ſtill refus'd to receive the Addreſs of the lower Houſe.

The Convocation was prorogued a little after to the firſt of *March*, and the Queen apprehending theſe diſputes wou'd riſe to a greater heighth, if they were ſuffer'd to meet again ſuddenly, ſent a Letter to the Archbiſhop; wherein ſhe tells him, She was ſurpriz'd at the unhappy ſtate of things, but ſhe was reſolv'd to maintain her Supremacy, and the due Subordination of Preſbyters to Biſhops, as fundamental parts thereof; and if the Biſhops acted conformably to this reſolution, they might be ſure of the continuance of her protection and favour; and directed him to adjourn the Convocation to ſuch farther time as ſhou'd appear convenient.

Queen's Speech at the riſing of the Parliament.

Her Majeſty came to the Houſe of Peers the 19th of *March*, and having given the Royal Aſſent to ſeveral publick and private Acts, made a Speech to both Houſes, wherein ſhe thanks them for the effectual proviſion made to ſecure the Proteſtant Succeſſion, and the ſteps they had taken towards the amendment of the Law. She commends their unanimity and zeal throughout the whole Seſſion, and deſires they will continue to ſhew a juſt diſlike of all Factions, in their ſeveral Counties, and they wou'd ſoon make the

whole

whole Kingdom ſenſible of the good effects of ſo prudent a conduct. And then the Parliament was prorogued to the 21ſt of *May*. 3 Annæ, 1704.

4. *Annæ*, Parl' 2. Seſſ. 1.

An Act for exhibiting a Bill in this preſent Parliament, for naturalizing the moſt excellent Princeſs *Sophia* Electreſs and Dutcheſs Dowager of *Hanover*, and the Iſſue of her Body. Cap. 1.

By this Act the uſual qualifications for naturalization (*viz.* receiving the Lord's Supper and taking the Oaths) are diſpens'd with in the Princeſs *Sophia* and her Iſſue.

An Act for granting an aid to her Majeſty by a Land tax, to be rais'd in the year one thouſand ſeven hundred and ſix. Cap. 2.

Four ſhillings in the pound upon Land, granted for a year from *Lady-day*, one thouſand ſeven hundred and ſix.

An Act to repeal ſeveral Clauſes in the Statute made in the third and fourth year of her preſent Majeſty's Reign, for ſecuring the Kingdom of *England* from ſeveral Acts lately paſſed in the Parliament of *Scotland*. Cap. 3.

The Clauſes in the 3 *Annæ*, Cap. 7. making the Natives of *Scotland* Aliens, prohibiting Horſes and Arms being ſent thither, the importing into *England Scots* Cattle, Coals and Linen, were hereby repeal'd, on a proſpect of the *Scots* coming into the Union and Succeſſion. *Act for ſecurity againſt the* Scots *repeal'd.*

An Act for the Naturalization of the moſt excellent Princeſs *Sophia*, Electreſs and Dowager of *Hanover*, and the Iſſue of her Body. Cap. 4.

All the Poſterity of the Princeſs *Sophia* ſhall be deem'd natural born Subjects, provided that if any of them become *Papiſts* they ſhall loſe the benefit of this Act. *Proteſtant Iſſue of the Princeſs* Sophia *naturaliz'd.*

An

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4 Anne, 1705. An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, for the ſervice of the year one thouſand ſeven hundred and ſix.

Cap. 5.

Cap. 6. An Act for continuing an additional Subſidy of Tunnage and Poundage, and certain Duties upon Coals, Culm, and Cynders, and additional Duties of Exciſe, and for ſettling and eſtabliſhing a Fund thereby, and by other ways and means for payment of Annuities, to be ſold for raiſing a farther ſupply to her Majeſty, for the ſervice of the year one thouſand ſeven hundred and ſix, and other uſes therein mentioned.

Cap. 7. An Act for making the Town of *New-Roſs*, in the County of *Wexford*, in the Kingdom of *Ireland*, a Port for the exporting Wooll from *Ireland* into this Kingdom.

Cap. 8. An Act for the better ſecurity of her Majeſty's Perſon and Government, and of the Succeſſion of the Crown of *England* in the Proteſtant Line.

Treaſon to aſſert in writing that the Pretender or any other has right to the Crown but by Act of Settlement.

It is hereby declar'd to be High Treaſon, maliciouſly, adviſedly, and directly, by writing or printing, to declare, maintain and affirm, that the Queen is not lawful and rightful Queen of theſe Realms, or that the Pretender has any right or title to the Crown, or that any other perſon hath a right or title thereto, otherwiſe than according to the Acts of Settlement, or that the King or Queen and Parliament cannot limit and bind the Crown of this Realm, and the Deſcent thereof.

Whoever ſhall by preaching, or adviſed ſpeaking, maintain and declare as aforeſaid, ſhall incur a *Premunire*, provided no perſon ſhall be proſecuted on this Act for words ſpoken, unleſs an Information be laid before a Juſtice of Peace within three days after, and the proſecution be within three months after ſuch Information, and

and there be two Witneſſes to prove ſuch words ſpoken. 4 ANNÆ, 1705.

The Parliament ſitting upon a Demiſe of the Crown, ſhall continue to act ſix months after, unleſs prorogued or diſſolv'd by the Succeſſor. *Parliament to ſit ſix months after a Demiſe of the Crown.*

If the Parliament be prorogued it ſhall be aſſembled on the day it is prorogu'd to, and act the reſidue of the ſix months, unleſs ſooner progu'd, *&c.*

If the Parliament be ſeparated by adjournment, it ſhall aſſemble immediately on ſuch demiſe, and act as aforeſaid.

If there be no Parliament in being, the precedent Parliament ſhall aſſemble on the demiſe, and act as aforeſaid.

The Privy Council alſo ſhall continue to act ſix months after a demiſe, unleſs ſooner determin'd by the Succeſſor. *And the Privy Council to continue to act ſix months, and all Officers, civil and military.*

All Officers, civil and military, ſhall continue to act ſix months after a Demiſe of the Crown, unleſs ſooner remov'd or diſcharg'd by the Succeſſor.

The great Seal, Privy-Seal, Privy-Signet, and other publick Seals, ſhall continue to be us'd 'till alter'd by the Succeſſor.

Every member of the Privy Council wilfully neglecting or refuſing to proclaim the Succeſſor on a Demiſe, ſhall be guilty of High Treaſon: And every Officer neglecting or refuſing to proclaim the Succeſſor, when requir'd ſo to do by the Privy Council, ſhall be guilty of High Treaſon.

The ſeven great Officers of State ſhall have the Adminiſtration of the Government till the Succeſſor arrives; the Succeſſor adding as many to them as he ſhall think fit, by three Inſtruments under his hand and ſeal, one to remain with the Reſident of the Succeſſor, another *A Regency eſtabliſh'd in the Succeſſor's abſence.*

with

4 ANNÆ. 1705. with the Archbiſhop, and the third with the Lord Chancellor, to be open'd in the Privy Council upon ſuch Demiſe.

The ſaid Lords Juſtices ſhall not diſſolve the Parliament, or paſs any Act, or alter the Act of Uniformity.

The Succeſſor may make uſe of any Seal before his arrival, to execute any regal Act.

Privy Counſellors need not ſign their opinions. The Clauſe in the Act for the limitation of the Crown, requiring Privy Counſellors to ſign their opinions, is hereby repeal'd.

Officers may be choſen Members of Parliament: Except of new erected Offices. As alſo the Clauſe that no perſon who has an office or place of profit under the King, or receives a Penſion from the Crown, ſhall be capable of ſerving as a Member of the Houſe of Commons, is hereby repealed.

Provided that no perſon who ſhall have in his own name, or in the name of any perſons in truſt for him, or for his benefit, any new office or place of profit under the Crown, which ſhall hereafter be created or erected, nor any perſon who ſhall be a Commiſſioner or Sub-Commiſſioner of Prizes, Secretary or Receiver of the Prizes, nor any Comptroller of the Accounts of the Army, nor any Commiſſioner of the Tranſports, or of the ſick and wounded, or any Agent of a Regiment, or Commiſſioner for Wine Licenſes, nor any Governor or Deputy-Governor of the Plantations, nor any Commiſſioner of the Navy employ'd in the out Ports, nor any perſon having a Penſion from the Crown during pleaſure, ſhall be capable of being elected a Member of the Houſe of Commons, or of ſitting there: Provided that if any Member of the Houſe of Commons accept any office of profit from the Crown during the time he continues a Member, his Election ſhall be void, and a Writ iſſue out

out for a new Election, provided that he shall be capable of being re-elected. 4 ANN. 4. 1705.

Provided that no greater Member of Commissioners shall be appointed for the executing any office, than have been employ'd in the execution thereof before the first day of this Parliament.

Provided that nothing herein contain'd shall extend to any Member of the House of Commons, being an Officer in the Navy or Army, who shall receive a new or other Commission in the Navy or Army respectively.

And if any person hereby declar'd incapable of being elected, shall be chosen a Member, his Election shall be void; and if he shall sit or vote in the House, he shall forfeit 500*l.* to him that will sue for it. *Officers disabled to sit in the House, forfeit 500l. if they sit.*

An Act for repairing the High-ways between *Barnhill* and *Hatton-Heath*, in the County of *Chester*. Cap. 9.

An Act for the better recruiting her Majesty's Army and Marines. Cap. 10.

An Act for continuing an Act made in the Session held in the third and fourth years of her Majesty's reign, entitled, An Act for punishing Mutiny and Desertion, and false Musters, and for the better payment of the Army and Quarters. Cap. 11.

An Act for laying farther Duties on low Wines, and for preventing the damage to her Majesty's revenue by the importation of Foreign cut Whalebone, and for making some provisions as to the stampt Duties, and the Duties on Births, Burials, and Marriages, and the Salt Duties, and touching Million Lottery-Tickets, and for enabling her Majesty to dispose the effects of *William Kidd*, a notorious Pirate, to the use of *Greenwich-Hospital*, and for appropriating the publick Monies granted in this Session of Parliament. Cap. 12.

An

4 ANNÆ, 1705. An Act for the better ordering and governing the Watermen and Lightermen upon the river of *Thames*.

Cap. 13.

Cap. 14. An Act for the better collecting charitable Money on Briefs, by Letters Patents, and preventing abuſes relating to ſuch Charities.

Farmers of Briefs forfeit 500 l. By this Act the farming or purchaſing the charitable Money ariſing by Briefs is declar'd unlawful, and all Covenants and Agreements concerning the ſame void; and perſons agreeing to purchaſe the benefit ariſing by any ſuch Brief, ſhall forfeit 500 *l.* to be recover'd by the Sufferers.

Cap. 15. An Act for making the river *Stower* navigable from the Town of *Manningtree* in the County of *Eſſex*, to the Town of *Sudbury* in the County of *Suffolk*.

Cap. 16. An Act for the amendment of the Law, and the better advancement of Juſtice.

Cap. 17. An Act to prevent frauds frequently committed by Bankrupts.

Cap. 18. An Act for enlarging the Pier and Harbour of *Parton*, in the County of *Cumberland*.

Cap. 19. An Act for the encouragement and encreaſe of Seamen, and for the better and ſpeedier manning her Majeſty's Fleet.

Cap. 20. An Act for the better enabling the Maſter, Wardens, and Aſſiſtants of Trinity-Houſe, to rebuild the Light-houſe on the *Edyſtone-Rock*.

Cap. 21. An Act for the encreaſe and better preſervation of Salmon, and other Fiſh, in the rivers within the Counties of *Southampton* and *Wilts*.

Cap. 22. An Act to impower the Lord High Treaſurer, or Commiſſioners of the Treaſury, to iſſue out of the Monies ariſing by the Coinage Duty, any Sum not exceeding five hundred pounds, over and above the Sum of three thouſand pounds yearly, for the uſes of the Mint.

An

An Act for raiſing the Militia for the year one thouſand ſeven hundred and ſix, notwithſtanding the Month's Pay formerly advanc'd be not repaid, and for an account to be made of Trophy Monies. 4 Anne. 1705. Cap. 23.

An Act to enlarge the time for ſettling unſatisfy'd Debentures upon the forfeited Eſtates in *Ireland*, and for renewing of other Debentures which have been loſt, burnt, or deſtroy'd. Cap. 24.

An Act for the paying and clearing the ſeveral Regiments commanded by Lieutenant-General *Steward*, Collonel *Hill*, and Brigadier *Holt*, and for ſupplying the defect of the Muſter-Rolls of thoſe and ſeveral other Regiments. Cap. 25.

An Act for making effectual a Grant of their late Majeſty's King *William* and Queen *Mary*, of the Town and Lands of *Seatown*, to the Archbiſhoprick of *Dublin*, and for reſtoring the ſame to the ſaid See. Cap. 26.

Notwithſtanding the many attempts towards a Union of the two Kingdoms had hitherto prov'd ineffectual, each Parliament again paſs'd an Act, impowering the Queen to appoint Commiſſioners to treat upon this ſubject; and her Majeſty was pleas'd on the part of *England* to appoint the following Gentlemen, *viz.* *Thomas*, Lord Archbiſhop of *Canterbury*; *William Cowper*, Eſq; Keeper of the great Seal of *England*; *John*, Archbiſhop of *York*; *Sidney*, Lord *Godolphin*, High-Treaſurer of *England*; *Thomas*, Earl of *Pembroke* and *Montgomery*, Preſident of the Council; *John*, Duke of *Newcaſtle*, Keeper of the Privy-Seal; *William*, Duke of *Devonſhire*, Steward of the Houſhold; *Charles*, Duke of *Somerſet*, Maſter of the Horſe; *Charles*, Duke of *Bolton*; *Charles*, Earl of *Sunderland*; *Evelin*, Earl of *Kingſton*; *Charles*, 5 Anne. 1706. *Commiſſioners for the Treaty of Union on the part of* England.

5 ANNÆ, 1706. Earl of *Carliſle*; *Edward*, Earl of *Oxford*; *Charles*, Viſcount *Townſhend*; *Thomas*, Lord *Wharton*; *Ralph*, Lord *Grey*; *John*, Lord *Powlet*; *John*, Lord *Somers*; *Charles*, Lord *Halifax*; *John Smith*, Eſq; *William Cavendiſh*, Marquis of *Hartington*; *John Manners*, Marquis of *Granby*; Sir *Charles Hedges*, Knight, and *Robert Harley*, Eſq; Principal Secretaries of State. *Henry Boyle*, Eſq; Chancellor and under Treaſurer of the Exchequer; Sir *John Holt*, Knight, Chief Juſtice of the Court of Queen's-Bench; Sir *Thomas Trevor*, Knight, Chief Juſtice of the Court of Common-Pleas; Sir *Edward Northey*, Knight, Attorney-General; Sir *Simon Harcourt*, Knight, Sollicitor-General; Sir *John Cook*, Knight, Doctor of Laws, Advocate-General, and *Stephen Waller*, Doctor of Laws.

Commiſſioners on the part of Scotland.

The Commiſſioners on the part of *Scotland* were nam'd ſome time before, *viz. James*, Earl of *Seafield*, Lord Chancellor of *Scotland*; *James*, Duke of *Queenſberry*, Lord Privy-Seal; *John*, Earl of *Mar*, and *Hugh*, Earl of *Loudoun*, Principal Secretaries of State. *John*, Earl of *Sutherland*; *John*, Earl of *Morton*; *David*, Earl of *Wemys*; *David*, Earl of *Leven*; *John*, Earl of *Stair*; *Archibald*, Earl of *Roſeberry*; *David*, Earl of *Glaſgow*, Deputies of the Treaſury. The Lord *Archibald Campbell*, Brother to the Duke of *Argyle*; *Thomas*, Viſcount *Duplin*; the Lord *William Roſs*, one of the Commiſſioners of the Treaſury; Sir *Hugh Dalrymple*, Preſident of the Seſſion; *Adam Cockburn* of *Ormeſtoun*, Lord Juſtice Clerk; Sir *Robert Dundaſs* of *Arniſtoun*, and Mr. *Robert Steward* of *Tillicultrie*, Lords of the Seſſion. Mr. *Francis Montgomery*, one of the Commiſſioners of the Treaſury; Sir *David Dalrymple*, one of her Majeſty's Sollicitors; Sir *Alexander Ogilvie*, Receiver-General; Sir *Patrick Johnſtoun*, Provoſt

Provoſt of *Edinburgh*; Sir *James Smollet* of *Bonhill*, *George Lockhart* of *Carnwath*, *William Moriſon* of *Preſtongrange*, *Alexander Grange*, *William Seton* of *Pitmeddon*, Jun. *John Clerk* of *Pennycook*, Jun. *Hugh Montgomery*, late Provoſt of *Glaſgow*; *Daniel Stewart*, and *Daniel Campbell*, of *Arutennet*. The *Engliſh* Commiſſioners nam'd Mr. *George Doddington*, and the *Scotch* Sir *David Nairne* to be their Secretaries. 5 ANN. 1706.

The Lords Commiſſioners of both Kingdoms met the firſt time on the 16th of *April* at the Council-Chamber in the Cockpit, near *Whitehall* (which place was appointed for their Conferences) and their reſpective Commiſſions being read, the Lord Keeper *Cowper*, on the part of *England*, made the following Speech to their Lordſhips of *Scotland*, *viz.*

My Lords,

Speech of the Lord Keeper of England *to the Commiſſioners.*

WE the Commiſſioners appointed by her Majeſty, and authorized by the Parliament of *England*, to conſult and treat with your Lordſhips (as impower'd in like manner by her Majeſty and the Parliament of *Scotland*) concerning an Union of the two Kingdoms, and ſuch other things as we the Commiſſioners on both parts ſhall think convenient and neceſſary for the honour of her Majeſty, and the common good of both Kingdoms, do apprehend there never was (in any Aſſembly of this nature) ſo little occaſion as at preſent, for the Commiſſioners of *England* to give any verbal aſſurances of their zeal to promote and compleat (ſo far as in their power) the great and good deſign we are met about: Since it cannot be doubted but that we bring along with us the ſame ſentiments which ſo lately appear'd in the Parliament of *England*, when they took care to manifeſt by a ſolemn Act,

5 ANNÆ, 1706. that they did poſtpone all other conſiderations to their evidencing a good and friendly diſpoſition towards the Kingdom of *Scotland*.

The Parliament of *England* in making that unexpected advance, ſeem'd reſolv'd, if poſſible, to attain that Union, which hath been ſo long thought neceſſary by all that wiſh well to the proſperity of both Nations.

And we moſt ſincerely aſſure your Lordſhips, that we accordingly meet your Lordſhips with hearts fully reſolv'd to uſe our utmoſt endeavours to remove all difficulties in this Treaty, to prevent all miſunderſtandings, to cheriſh and improve the good diſpoſitions to one another we meet with, to have the general and joint good of both Kingdoms ſolely in our view, and not the ſeparate of either, but to act as if we were already united in intereſt, and had nothing to conſider but what ſettlements and proviſions are moſt likely to conduce to the common ſafety and happineſs of this whole Iſland of *Great Britain*.

Which meaſures, if purſu'd on both parts, we hope may enable us to prepare ſuch terms of Union as may prove ſatisfactory to her Majeſty and the Parliament of both Kingdoms.

The Earl of *Seafield*, Lord Chancellor of *Scotland*, afterwards made the following Speech to the *Engliſh* Commiſſioners.

Speech of the Lord Chancellor of Scotland *to the Commiſſioners.*

MY LORDS,

THE Lords Commiſſioners for *Scotland* have deſired me to aſſure your Lordſhips that they meet you on this occaſion with great willingneſs and ſatisfaction to treat of an Union between the two Kingdoms, and of ſuch other matters and concerns as may be for her Majeſty's Honour, and the maintaining a good underſtanding between the two Nations.

We

We are convinc'd that an Union will be of great advantage to both: The Proteſtant Religion will be thereby the more firmly ſecur'd, the Deſigns of our Enemies the more effectually diſappointed, and the Riches and Trade of the whole Iſland advanc'd. This Union has been often endeavour'd both before and ſince the Kingdoms were united in Allegiance under one Sovereign, and ſeveral Treaties have been ſet on foot for that end, tho' without the deſir'd ſucceſs; but now we are hopeful that this ſhall be the happy opportunity of accompliſhing it. Her Majeſty hath frequently ſignify'd her good inclinations towards it, and we are the more encourag'd to expect ſucceſs in this Treaty, by the good diſpoſition that appear'd in the Parliament of *Scotland* for it, and by the friendly proceedings in the laſt Seſſion of the Parliament of *England*, which gave general ſatisfaction. We have great confidence in your Lordſhips good intentions, and we ſhall be ready on our parts to enter into ſuch meaſures with you, as may bring the Treaty to ſuch a concluſion as may be acceptable to her Majeſty and the Parliaments of both Kingdoms. 5 ANNÆ, 1706.

After theſe Speeches it was agreed that copies of the ſeveral Commiſſions ſhou'd be prepar'd and ſign'd by the reſpective Secretaries, and interchang'd, and then the Commiſſioners adjourn'd to the *Monday* following.

The Commiſſioners met again the 22d of *April*, when the Lord Keeper *Cowper*, in the name of the Lords Commiſſioners for *England*, deliver'd to the Board the following preliminary Articles, which were read.

1. That all Propoſals made by either ſide, be made *Preliminary Articles*

5 ANNÆ, 1706. made in writing, and every point, when agreed, ſhall be reduc'd into writing.

propos'd by the Commiſſioners for England.

2. That no Point, tho' agreed on, and reduc'd into writing, ſhall be obligatory on either ſide till all matters be adjuſted in ſuch manner as will be proper to be laid before the Queen and the two Parliaments for their approbation.

3. That there be a Committee appointed, conſiſting of a certain number of each Commiſſion, to reviſe the Minutes of what paſſes, which are not to be inſerted by the Secretaries in their reſpective Books, but by order of the ſaid Committee, having firſt made report thereof to the reſpective Commiſſioners, and receiv'd their approbation of the ſame.

4. That all the proceedings of the Commiſſioners of both Kingdoms, during the Treaty, be kept ſecret.

The Lord Keeper alſo deliver'd the following Propoſal, which was read, *viz.*

That the two Kingdoms of *England* and *Scotland* be for ever united into one Kingdom, by the name of *Great Britain:* That the united Kingdom of *Great Britain* be repreſented by one and the ſame Parliament, and that the Succeſſion of the Monarchy of the united Kingdom of *Great Britain*, in caſe of failure of Heirs of her Majeſty's Body, be according to the limitations mentioned in an Act of Parliament made in *England* in the 12th and 13th year of the Reign of the late King *William*, entitled, *An Act for the farther limitation of the Crown, &c.*

To theſe Preliminaries the Commiſſioners for *Scotland* agreed, with this proviſo only, That all the ſubjects of the united Kingdom of *Great Britain*,

tain, ſhou'd have full freedom and intercourſe of Trade and Navigation to or from any part or place within the ſaid united Kingdom, and Plantations thereto belonging; and that there be a communication of all other Privileges and Advantages which do or may belong to the ſubjects of either Kingdom. This the Commiſſioners of *England* acquieſc'd in, under ſuch terms as in the farther progreſs of this Treaty ſhou'd be found for the common advantage of both Kingdoms. Theſe Generals being agreed on, the Commiſſioners proceeded to Particulars. I ſhall not trouble the Reader with the ſeveral Propoſals and Anſwers on every Head, but give him the Articles themſelves hereafter, as they were agreed to, and ratified by both Parliaments. 5 ANNÆ' 1706.

On the 21ſt of *May* the Queen came to the meeting of the Commiſſioners, to ſee what progreſs they had made; and the Propoſals and Reſolutions that had been taken, were read before her Majeſty, as far as they had gone, by the reſpective Secretaries: and on the 26th of *June* the Queen came to another meeting of the Commiſſioners, to quicken their proceedings, and heard the ſeveral Articles read that had been agreed on ſince the time ſhe was there before. *The Queen comes to a meeting of the Commiſſioners.*

All the Articles being agreed, they were ſign'd by the reſpective Commiſſioners on the 22d of *July*, and the next day the Lords Commiſſioners of both Kingdoms waited on the Queen at St. *James*'s with them; where the Lord Keeper, in the name of the *Engliſh* Commiſſioners, made the following Speech. *The Articles of Union agreed and ſign'd.*

May it pleaſe your Majeſty,

WE the Commiſſioners appointed by your Majeſty, in purſuance of the Act of Parliament paſs'd in your Kingdom of *England* to treat *Speech of the Lord Keeper to the Queen, on*

5 ANNÆ, 1706.

treat concerning an Union of the two Kingdoms with the Commiſſioners for *Scotland*, do (according to our duty) humbly beg leave to preſent to your Majeſty theſe the effects of our continu'd and faithful endeavours to that end.

preſenting the Articles of Union, on the part of the Engliſh *Commiſſioners.*

They are the Articles agreed upon between your Commiſſioners of both Kingdoms, as the terms or conditions upon which the intended Union is to take place, if your Majeſty and the Parliaments of both Kingdoms ſhall think fit to approve and confirm the ſame. In theſe we have come to an agreement on every point we judg'd neceſſary to effect a compleat and laſting Union, and we have endeavour'd not to ſtir into any matter we had reaſon to think was not ſo.

And altho' we have unanimouſly carried this Treaty thus far, purely from a conviction that we have done therein to God, your Majeſty, and our Countries good ſervice, yet we are far from thinking that what we have done, will, or ought to be of any weight or authority elſewhere; but do moſt entirely ſubmit theſe our labours, to the high wiſdom of your Majeſty and both your Parliaments, to ſtand or fall by the reaſon, juſtice, and publick utility on which they are founded.

Your Majeſty's Royal Preſence, and ſeaſonable Admonition to us at the fitteſt junctures, were (we moſt thankfully acknowledge) a very great encouragement and aſſiſtance to us in the difficulties we met with.

Your Majeſty's glory is already perfect, and the finiſhing this work is all that is wanting to compleat as well as ſecure the happineſs of ſo great a people, as your ſubjects may now, without any arrogance, pretend to be.

May your Majeſty live, not only to give a ſanction of this univerſal bleſſing to all your people, but

but alſo to ſee in a long and proſperous Reign over us, the many immediate, or near good effects of it. But as for that great and main conſequence of it, for which your Majeſty is making, by a moſt gracious and charitable foreſight, this only effectual proviſion; I mean the continuance of peace and tranquility in this Iſland, upon a Deſcent of the Crown, inſtead of that bloodſhed and diſtraction which would probably follow upon the fatal diviſion of it:

5 ANNÆ, 1706.

May we be ſo happy as never in our days to experiment the fitneſs of theſe meaſures your Majeſty is now taking for that end; but may late, very late poſterity only, reap the advantage of them.

May it pleaſe your Majeſty,

Lord Chancellor of Scotland's Speech to the Queen, on preſenting the Articles of Union.

THE Commiſſioners appointed by your Majeſty for the Kingdom of *Scotland*, to treat of an Union of your two Kingdoms of *Scotland* and *England*, have commanded me to return your Majeſty their moſt humble and dutiful acknowledgments for the Honour your Majeſty has conferr'd on them in employing them to negotiate this moſt important affair, which is of the greateſt conſequence to all your Majeſty's ſubjects.

We have endeavour'd to diſcharge this truſt with all fidelity, and are now come humbly to lay before your Majeſty the Articles and Conditions of Union which we have treated of, and agreed upon, and do ſubmit them to your Majeſty's Royal Conſideration. It is a great ſatisfaction to us, that what we have concluded in this matter, has been done with unanimity, and we muſt own that the knowledge we had of your Majeſty's great concern for uniting your two Kingdoms, and the earneſtneſs with which your Majeſty has been moſt graciouſly pleaſed to re-

5 ANNÆ, 1706. commend it, hath enabled us to bring this Treaty to a happy and ſpeedy concluſion, to the mutual ſatisfaction of the Commiſſioners on both ſides; and we ſhall eſteem it our greateſt happineſs, if what we have prepared be acceptable to your Majeſty, and ratified by the Parliaments of both Kingdoms, without which what we have done can be of no authority.

An Union of the two Kingdoms has been long wiſh'd for, it being ſo neceſſary for eſtabliſhing the laſting peace, happineſs and proſperity of both Nations: And tho' it has been frequently endeavour'd by your Majeſty's Royal Predeceſſors, without the deſired ſucceſs, yet the glorious ſucceſſes with which God has bleſſed your Majeſty's endeavours for the happineſs of your people, make us hope that this great work is reſerv'd to be accompliſh'd in your Majeſty's Reign.

The Queen's Speech to the Commiſſioners on the concluſion of the Treaty.

MY LORDS,

I Give you many thanks for the great pains you have taken in this Treaty, and am very well pleas'd to find your endeavours and applications have brought it to ſo good a concluſion: The particulars of it ſeem ſo reaſonable, that I hope they will meet with approbation in the Parliaments of both Kingdoms. I wiſh therefore that my ſervants of *Scotland* may loſe no time in going down to propoſe it to my ſubjects of that Kingdom, and I ſhall always look upon it as a particular happineſs, if this Union (which will be ſo great a ſecurity and advantage to both Kingdoms) can be accompliſh'd in my Reign.

The

The ſame day the following order was made by the Queen in Council. 5 ANNÆ, 1706.

HER Majeſty having been inform'd that great liberty has been taken by ſome *Papiſts*, and ſome other diſaffected perſons in their diſcourſes, and laying wagers relating to the Union of the two Kingdoms of *England* and *Scotland*, tending thereby to create miſunderſtandings between her Majeſty's ſubjects. Her Majeſty being graciouſly inclined to prevent her good ſubjects from being miſled by inadvertency, is this day pleaſed, with the advice of her Privy Council, to order that publick notice be given, That whoſoever ſhall be concern'd in any ſeditious Diſcourſe or Libel, or laying Wagers, or making or ſubſcribing Policies of Aſſurances relating to the ſaid Union, ſhall be proſecuted for ſuch their offence according to the utmoſt rigour of the Law: Whereof all Juſtices of the Peace, and other Magiſtrates are to take notice. And that this her Majeſty's pleaſure may be publickly known, it is order'd to be printed in the Gazette. *Order of Council againſt talking or laying wagers about the Union.*

The Parliament of *Scotland* met the 3d of *October*, and his Grace *James* Duke of *Queenſberry* being appointed High Commiſſioner, his Grace's Commiſſion was read and recorded; after which her Majeſty's Letter to the Parliament was read, wherein ſhe tells them, That the Commiſſioners appointed to treat of an Union, had happily concluded that Treaty, and laid it before her, and hop'd the terms would be acceptable to them; that ſhe ſhou'd eſteem it the greateſt glory of her Reign to have it perfected, being perſuaded it muſt prove the greateſt happineſs of her people. And ſhe did, upon this occaſion, *The Parliament of Scotland meet.* *The Queen's Letter to them.*

5 ANNÆ, 1706. caſion, renew the aſſurances ſhe had given them of maintaining the Government of their Church, as by Law eſtabliſh'd; and ſaid, they had now an opportunity of doing what might be neceſſary for ſecuring their Church after the Union, within the limits of *Scotland*.

She deſires the neceſſary ſupplies, till the Parliament of *Great Britain* cou'd provide for thoſe matters.

And ſaid, It cou'd not but be an encouragement to them to finiſh the Union, now God had bleſs'd her Arms with ſo great ſucceſs (the Victories of *Ramelies* and *Turin* were obtain'd this Summer, as the Reader will find in the account of the Campaign hereafter) and they had no reaſon to doubt but the Parliament of *England* would do what was neceſſary on their part, after the readineſs they had ſhewn, to remove what might obſtruct the entring on the Treaty. And ſhe concluded with recommending to them calmneſs and unanimity in this great and weighty affair.

Dated at *Windſor* the 31ſt of *July* 1706. 5 *Annæ*.

My Lord Commiſſioner and Lord Chancellor having enforc'd what her Majeſty had inſiſted on in her Letter, the Treaty of Union was read, and order'd to be printed, with the proceedings of the Lords Commiſſioners of both Kingdoms in relation thereto; and then the Parliament was adjourn'd for a week. On the 15th of *October* it was put to the vote, Proceed preſently to the conſideration of the Articles of Union, or refer the conſideration thereof till the firſt ſitting next week, and it was carried Proceed 116 voices, againſt 52. Here the ſtrength of the Court Party appear'd, and notwithſtanding the Clamour and

ill

ill Language they receiv'd from the other ſide, they proceeded with all the ſedateneſs imaginable, being ſupported by an aſſurance they ſhou'd carry their point at laſt. In the Debates Duke *Hamilton* reflected pretty ſeverely on the Duke of *Roxburgh*, who was at the head of a Party that went over to the Court; that Duke having in former Parliaments expreſs'd a great averſion to an Union. The Mob of *Edinburgh* began to grow very mutinous too, and aſſaulted the Houſe of Sir *Patrick Johnſton*, Provoſt of *Edinburgh*, and one of the Commiſſioners of the Union. Upon which the Privy Council were forc'd to call in the Foot-Guards to their aſſiſtance at midnight, and poſt them in three ſeveral parts of the City; and a Proclamation was iſſu'd againſt tumults. The averſion of the Populace to a Union, was farther diſcover'd by their inſtructions to their reſpective Members, and the Petitions and Repreſentations againſt it from moſt parts of the Kingdom; wherein they inſiſted, that the devolving the power of the *Scots* Parliament into the hands of a ſmall number of Lords, Barons, and Burgeſſes, allow'd to ſit and vote with all the Lords and Commons of *England*, in a Parliament to be call'd, *The Parliament of* Great Britain, was diſhonourable and prejudicial to the Kingdom of *Scotland*, tending to the deſtruction of their antient Conſtitution, and all their Rights and Privileges as a free people in general, and to every individual Perſon and Society within the Kingdom: That they ſhou'd entirely loſe their Sovereignty and Independency, and give up the Birthrights of their Peers, and the Privileges of the Barons and Burghs.

5 Anno 1706.

The Mob of Edinburgh *grow mutinous.*

Petitions againſt the Union.

That the Rights and Intereſts reſerv'd to them by the Articles of Union were capable of no ſecurity, ſeeing the plurality of Voices in the Parliament

5 ANNÆ, 1706. liament of *Great Britain* muſt determine whatever was brought before them.

That the being let into the trade of *England* would be little or no advantage to them, under the Regulations and Reſtrictions the *Engliſh* Trade was at preſent in the ſeveral Companies. And they were under great apprehenſions of danger to their Kirk, from the twenty ſix Biſhops who were to ſit in the *Britiſh* Parliament; whereas their Preſbyterian Kirk wou'd have none to repreſent them. They objected alſo to the Sacramental Teſt, being the condition of acceſs to all places of profit or truſt. And it was a farther grievance, that the Sovereign was oblig'd to be of the Communion of the Church of *England*.

Danger to the Kirk, apprehended from the Union.

The Aſſembly of the Kirk alſo petition'd againſt the making the ſecurity of the Church of *England* a fundamental Article of the Union; for hereby they ſaid they would involve the whole Nation in great guilt, by conſenting to the Eſtabliſhment of the Hierarchy and Ceremonies of a Church which they held to be ſinful and abominable.

The Articles of Union burnt at Dumfreis.

Theſe Repreſentations were follow'd by farther Tumults, and at *Dumfreis* the Articles of Union were publickly burnt; and the people declar'd that their Commiſſioners muſt either be ſimple, ignorant, or treacherous, or all together; and that the Ratification of this Treaty wou'd bring them and their Poſterity to be tributary, and Bondſlaves to their Neighbours. Even in *Edinburgh* the High Commiſſioner was inſulted, and Stones thrown at him in his Coach, while he was ſurrounded with the Guards; and on the 30th of *November* the Mob enter'd the Parliament Cloſe, with loud outcries for rejecting the Articles of Union; which gave the Miniſtry ſuch apprehenſions, that it was thought convenient to march

The High Commiſſioner inſulted by the Mob.

ſeveral Regiments of Horſe and Dragoons to the North of *England*, to be in a readineſs to protect them. 5 ANNÆ. 1706.

But notwithſtanding all the clamour and oppoſition that was made, an Act for the Ratification of the Union paſs'd on the 16th of *January*, Yeas 110, Noes 69. The Duke of *Hamilton*, in appearance, oppos'd it from firſt to laſt with all his might, and, for ought I cou'd ever learn to the contrary, he was ſincere; tho' ſome of our pretenders to ſecret Hiſtory, who deal in little elſe but ſcandal, and for which they require no farther proof than the bare ſurmiſe of ſome Driveler of the Party; theſe Gentlemen, indeed, charge him with underhand dealing; and conſidering the propenſity that is in mankind, to believe every malicious inſinuation, no wonder if this too met with entertainment among ſome weak Brethren. *The Union ratified by the* Scots *Parliament.*

Having given an account of the reception the Treaty of Union met with in *Scotland*, I ſhall take a view of our affairs on the other ſide the water, and then ſee what entertainment this Treaty met with in the Parliament of *England*.

The *French*, who the laſt War made great advantages by taking the Field before the Allies, form'd a Deſign this Campaign alſo, to have ſurpriz'd the Duke of *Marlborough* before the *Danes* and *Pruſſians* had join'd him; and accordingly in the beginning of *May* the Duke of *Bavaria* and Marſhal *Villeroy* decamp'd from *Tirlemont*, and paſs'd the *Dyle*, marching directly towards the Confederate Army. The Duke of *Marlborough*, who was ſeldom ſurpriz'd for want of intelligence of the Enemies motions, very well underſtood their drift, and diſpatch'd an Expreſs to the *Daniſh* troops to join him, and they arriv'd within a League of his Camp the 22d of *May* N. S. *Campaign in the* Netherlands.

About

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About four the next morning the Confederate Army march'd towards *Rammelies*, a Village near where the *Gheet* riſes, that they might not have the trouble of paſſing that River. But about eight in the morning the advanc'd Guards diſcover'd the Enemy moving towards them, of which they ſent intelligence to his Grace; who finding the Enemies whole Army approach with an apparent reſolution to fight, he made all the neceſſary diſpoſitions to engage them. The Enemies Army conſiſted of about 76 Battalions, and 132 Squadrons, and finding the Confederates advance, they poſſeſs'd themſelves of an advantageous Camp, having their right near *Hottomont*'s Tomb, on the *Mehaigne*, and their left at *Auderkirk*, and *Rammelies* in their center; in which Villages they poſted ſeveral Battalions of their Infantry, and five Battalions they poſted in the Hedges near the Village of *Franquenie*, which was upon their right.

The Confederate Army was compos'd of 74 Battalions, and 123 Squadrons; the right wing whereof was poſted near *Foltz*, on the little Rivulet of *Yanſe*, with a Moraſs in their front; the left was drawn up near the Village of *Franquenie* upon the *Mehaigne*; where the Duke of *Marlborough* alſo plac'd the *Daniſh* Horſe, foreſeeing that here would lie the ſtreſs of the Action. Of this Battel Collonel *Richards* gave her Majeſty the following Relation, *viz.*

Battel of Rammelies.

On *Saturday* the 11th Inſtant the Confederate Army decamp'd from *Borchloen*, and march'd to *Gros Warem*; the *Daniſh* troops came up with our rear, and encamp'd at a ſmall diſtance from us. Here we had advice that the Enemy, who being join'd by the Horſe of the Mareſchal *de Marſin*'s Army, and depending on the Superiority

rity of their numbers, were lately come out of their Lines, had made a motion, putting their right towards *Judoigne*. A. Anna. 1706.

My Lord Duke, and Monſieur *d'Auverquerque* relying upon the goodneſs of their troops, reſolv'd to advance towards the Enemy; and accordingly on *Sunday* the 12th, about three in the morning, the Army march'd in eight Columns towards *Rammelies*, a Village where the *Gheete* takes its Source, that we might avoid the inconvenience of paſſing that River. Being advanc'd near the ſaid Village, we found the Enemy getting into the Camp of Mount *S. Andre*, and placing their right to the *Mehaigne*.

This River flows about half a League from *Rammelies*, the Ground between them being open and level. The *Gheete* runs from *Rammelies* to *Autregliſe*, thro' a marſhy Ground, and beyond *Autregliſe* the River grows wide, and the Ground is unpaſſable.

The Enemy has poſted a Brigade of Foot next to the *Mehaigne*, and filled the place betwixt that and *Rammelies* with upwards of one hundred Squadrons, among which were the Troops of the *French* King's Houſhold. At *Rammelies* they had above twenty Battalions of Foot, with a Battery of about twelve pieces of treble Canon; from thence to *Autregliſe*, they had form'd a Line of Foot along the *Gheete*, with a Line of Horſe at ſome diſtance behind them.

His Grace judging by the ſituation of the Ground, that the ſtreſs of the Action would be on our left, ordered, that beſides the number of Horſe belonging to that wing, the *Daniſh* Squadrons, being twenty in number, ſhould alſo be poſted there. It was about two in the afternoon before our Army cou'd be form'd in order of Battel, and then we began the attack on our

5 ANNÆ. 1706. left with four Battalions, which puſh'd the Brigade of Foot above-mentioned from their Poſt on the *Mehaigne*. Monſieur *d'Auverquerque* about the ſame time charg'd with the Horſe of that wing. The ſucceſs was doubtful for about half an hour, which the Duke of *Marlborough* perceiving, order'd the reſt of the Horſe of the right wing (except the *Engliſh*, who were 17 Squadrons) to ſupport thoſe on the left.

Here, while his Grace was rallying ſome, and giving his orders for others to charge, he was in very great danger, being ſingled out by ſeveral of the reſoluteſt of the Enemy; and falling from his Horſe at the ſame time, had either been kill'd or taken priſoner, if ſome of our Foot that was near at hand had not come very ſeaſonably to his Grace's aſſiſtance, and oblig'd the Enemy to retire. After this my Lord Duke had ſtill a greater eſcape, a Canon Ball having taken off Collonel *Bringfield*'s head as he was remounting his Grace.

The Village of *Rammelies* was attack'd by a Detachment of twelve Battalions of Foot, commanded by Lieutenant-General *Schultz*, which entred at once with great vigour and reſolution. His Grace haſtned our Line of Foot thither to ſupport them; which though it was at a great diſtance, yet came up ſoon enough to beat the Enemy quite out of the Village, and at the ſame time charg'd the reſt of their Foot that were poſted behind the *Gheete*, as is above-mentioned; and my Lord Duke order'd the *Engliſh* Horſe to ſupport them.

By this time, the Enemies right wing of Horſe being entirely defeated, the Horſe of our left fell upon the Foot on their right; of whom they ſlew great numbers, cutting to pieces about twenty of their Battalions, whoſe Colours they took

took, and likewiſe their Canon. The reſt of the Enemy's Foot were entirely broke. The Horſe of their left wing ſeem'd to make a ſtand to gain time for their Foot to retire, but were charg'd ſo quick, and with ſo much bravery by the *Engliſh* Horſe, that they entirely abandon'd the Foot; and our Dragoons puſhing into the Village of *Autregliſe*, made a terrible ſlaughter of them. The *French* King's own Regiment of Foot, call'd the Regiment *du Roy*, begg'd for Quarter, and deliver'd up their Arms and Colours to the Lord *John Hay*'s Dragoons. 5 ANNÆ. 1706.

We purſu'd the Enemy all night, by the way of *Judoigne*, as far as *Meldre*, being five Leagues from the place where the Action happen'd, and two from *Louvain*.

The Duke of *Marlborough* ſent the following Letter to the States General after the Battel.

High and Mighty Lords,

MOnſieur the Velt Mareſchal *d'Auverquerque*, having ſent Monſieur *Waſſenaer* to your High Mightineſſes, to acquaint you with the Victory God Almighty was pleaſed to grant us laſt *Sunday* over the Enemy, I thought fit to delay my Congratulations till this day, that I might at the ſame time acquaint your High Mightineſſes with the ſucceſs of our Deſign of paſſing the *Dyle*. We had reſolv'd to force our paſſage this morning by break of day, but the Enemy have ſav'd us the trouble, having left us an open Field, by their retreat towards *Bruſſels*, ſo that with double joy I give my ſelf the honour to write this Letter to you from *Louvain*; where I have a long time wiſh'd to be, for the good of the common Cauſe. 'Tis certain that all the Generals, Officers and Soldiers have done all that was poſſible for men to perform on that glorious day, and their conduct

Duke of Marlbro's *Letter to the States General.*

5 ANNÆ, 1706. bravery cannot be ſufficiently prais'd. I make no manner of doubt but that Meſſieurs the Deputies, and Monſieur *de Auverquerque*, have done juſtice to your own troops, and that your High Mightineſſes will ſeek occaſions to acknowledge and reward the Deſerts of ſo many brave men. I have made choice of Collonel *Chanclos* to carry this agreeable news to your High Mightineſſes, both by reaſon of his merit in the laſt Campaign, and of his ſervices in this. He will acquaint your High Mightineſſes with the particulars of all that has paſs'd, and the preſent poſture of the Enemy; whom we are reſolv'd to purſue. It ſhall always be my greateſt delight to ſhew to your High Mightineſſes my inviolable adherence to your intereſt, and that I am, with great reſpect,

Your High Mightineſſes, &c.

Louvain, May 25. 1706. *The Prince and Duke of* MARLBOROUGH.

The *Paris Gazette* gave the following Relation of this Action, *viz.*

French *account of the Battel of* Rammelies.

On the 23d of *June* the King's Army advanc'd to *Goſſencourt*, on the *Mehaigne*, and was attack'd by the Army of the *Engliſh* and *Dutch*. The Enemies poſſeſſed ſeveral Poſts, from which they were beaten by our Infantry; which for above an hour and an half fought the Enemy's Foot with advantage in the Village of *Rammelies* and *Jandrenoille*, ſo that for a long time they had reaſon to believe that Victory wou'd be entirely ours. While moſt of the troops were engag'd in the center, thirteen Battalions of the Enemy's attack'd

attack'd and forc'd the Village of *Taviers*. Their Cavalry attack'd that of our right; which having not withſtood their effort with the like vigour, gave them ſome advantage, which oblig'd the Army to retire, the loſs being almoſt equal on both ſides. The retreat was made at firſt in good order, but confuſion happening therein afterwards, by reaſon of the difficulty of the Roads, ſome troops diſpers'd themſelves, which occaſion'd great loſs; and they were oblig'd to leave part of their Canon, and ſeveral Waggons with Ammunition. 5 ANNÆ, 1706.

The Elector of *Bavaria* and Marſhal *Villeroy*, with the remainder of their Army, retreated to *Louvain*; where having held a Council of War by Torch-light in the Market-place, they reſolv'd to abandon that City, and retire to *Bruſſels*; of which the Duke of *Marlborough* having intelligence, the next morning he order'd a Detachment of 500 men to take poſſeſſion of *Louvain*. His Grace continu'd his march, and the 26th of *May* N. S. being arriv'd at *Digheim*, he receiv'd a Letter from the Marquis of *Deynſe*, Governor of *Bruſſels*, acquainting him that the Magiſtracy of *Bruſſels* had reſolv'd to ſend Deputies to his Grace, and deſir'd his Grace to ſend a Trumpeter to conduct them in ſafety to the place where he ſhould think fit to receive them. Whereupon his Grace ſent Collonel *Panton*, his Aid de Camp, to acquaint them he ſhould be glad to ſee them in the afternoon. Accordingly they waited on his Grace at his Quarters near *Digheim*, and expreſs'd, or pretended, great joy at their deliverance from the *French* Yoke. Louvain *ſubmits to the Conqueror*, *And* Bruſſels.

His Grace and the Field Deputies, the ſame day, ſent a Letter to the States of *Brabant*, declaring, That the Queen of *England*, and their

5 ANNÆ, 1706. High Mightineſſes had ſent them to maintain the juſt Rights of his Catholick Majeſty *Charles* III. to the Kingdoms of *Spain*, not doubting but they were convinc'd of his Right, and wou'd embrace this opportunity of ſubmitting to him as faithful ſubjects; and that the King wou'd maintain them in the entire enjoyment of their Rights, Liberties, and Religion: And aſſur'd them from themſelves, that the Army ſhou'd be employ'd every where for their protection.

His Grace ſent two other Letters to the ſame effect, to the Sovereign Council of *Brabant*, and the City of *Bruſſels*, and receiv'd an anſwer from each, declaring their ſubmiſſion to his Majeſty King *Charles* III. There came alſo Deputies from each of theſe Bodies, who declar'd the great ſenſe they had of the Queen's goodneſs, in delivering them from the oppreſſion of the *French* Government. And in the evening the Magiſtrates of *Mechlin* came into the Camp and made their ſubmiſſion; and Collonel *Durel*, Adjutant-General, was detach'd with 200 Horſe to take poſſeſſion of that place.

Mechlin *ſubmits.*

For all theſe great Succeſſes, a Thankſgiving was obſerv'd in the Army on the firſt of *June* N. S. and the ſame day the Magiſtrates of *Ghent* came into the Camp, and offer'd to ſubmit to King *Charles*. Whereupon two Battalions were commanded to march into the City, and the next morning the Prince of *Vintimille* ſurrender'd the Caſtle, together with the Marquis *de los Rios*'s Regiment which was in Garriſon there priſoners of war; who declar'd afterwards for King *Charles*, except fifty. *Oudenarde* alſo ſurrender'd upon a Summons; the Garriſon, conſiſting of two *Spaniſh*, and one *French* Battalion, being permitted to march out. The Magiſtrates of *Bruges* alſo waited on his Grace, and deſir'd his

Ghent *ſubmits.*

Oudenard *ſurrenders.*

Bruges *ſubmits.*

his protection, and made their ſubmiſſion in form to King *Charles* III. The 6th of *June* the Garriſon of *Antwerp*, conſiſting of ſix *Spaniſh*, and as many *French* Battalions, capitulated, and were conducted to *Quenoy*, and the 7th of *June* N. S. the States of *Flanders* being aſſembled at *Ghent*, formally recogniz'd their Sovereign King *Charles* III.

5 ANNÆ, 1706. Antwerp *capitulates.*

Let us now ſee how King *Charles*'s affairs proſper'd in *Spain*. We left him in the quiet poſſeſſion of *Barcelona*; almoſt all *Catalonia* and *Valentia* having declar'd for him: And the Earl of *Peterborough*, in order to ſecure his Conqueſts in *Valentia*, march'd into that Kingdom with 1500 of the regular troops, and about as many *Catalans:* But the Enemy having intelligence of this great Detachment's marching from *Barcelona*, and underſtanding that that Garriſon was alſo very much weakned by other Detachments to *Tortoſa*, *Lerida*, *Gironne*, and other Towns that had declar'd for King *Charles*, aſſembled their Forces, and march'd with great expedition into *Catalonia*, and ſate down before *Barcelona*, to the great ſurprize of that City, before they had intelligence of their motions. And had not the Count *de Thouloufe*, who was to convoy the Proviſions and Ammunition neceſſary for that ſiege, been put back and detain'd a conſiderable time by contrary winds, *Barcelona* had infallibly fallen into their hands before it cou'd have been reliev'd by the Allies.

Campaign in Catalonia.

Barcelona *beſieg'd by* King Philip.

On the 2d of *April* N. S. *Barcelona* was inveſted, but King *Philip*'s Army was not numerous enough to prevent Succours being thrown into the Town; for my Lord *Donnegal*, Major-General St. *Amand*, and four Regiments of the Garriſon of *Gironne*, got into the Town thro' the Intervals the Enemy were oblig'd to leave in

5 ANNÆ, 1706. their Camp. King *Philip* took up his Quarters at *Seria* (at the ſame houſe where King *Charles* had his head Quarters the year before) but the *Miquelets* from the Mountains harraſs'd him perpetually, and one night particularly, having attack'd his Quarters, and kill'd two or three hundred of his Guards, they were ſo near ſurprizing of him, that he fled out at a back door, leaving his Hat behind him, and the *Miquelets* ſeiz'd part of his Plate and Furniture. The Garriſon of *Barcelona* receiv'd a farther Reinforcement of Troops from *Gironne* and *Lerida*, ſo that the regular troops now amounted to 3000 men, beſides a good Body of Militia, and the Inhabitants, who were in Arms and did good ſervice in the ſiege. My Lord *Donnegal*, and Major-General St. *Amand*, commanded by turns in Fort *Montjuich*. General *Ulefelt* commanded in the City, and an old *Spaniſh* Officer on the Line of Communication between the Town and the Fort. The Prince of *Heſſe*, Collonel *Nebot*, and the *Miquelets*, kept the Enemy in perpetual alarms without, and cut off all Proviſion coming to them from the Country, ſo that had they not been ſupply'd by Count *de Thoulouſe* from the *French* Fleet, it wou'd have been impoſſible for them to have continu'd the ſiege; which gave an Officer in the Town occaſion to ſay, *We rather beſiege them, than they us.* But notwithſtanding theſe inconveniencies, the Enemy's Army being compos'd of good old troops, and experienc'd Generals, carry'd on the ſiege very vigorouſly, and in an attack of Fort *Montjuich* on the 21ſt at night, they lodg'd themſelves in the Outworks, took above four hundred of the Garriſon, and moſt of the Officers priſoners: And my Lord *Donnegal* was ſhot through the Heart, after he had cut down ſeveral of the Enemy's

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Grenadiers with his own hand. On the 24th my Lord *Peterborough* threw four hundred *Neapolitans* into the Town, after a ſharp Engagement between the Boats upon the Water: But Fort *Montjuich* being no longer tenable, the Garriſon having ſet every thing on fire, that they cou'd not remove, retir'd in the evening into the Town. 5 ANNÆ, 1706.

On the 30th the Prince of *Heſſe*, in two half Gallies, paſs'd the Line of Boats that lay before the Harbour, and got into the Town with ſixty Soldiers; and on the 2d of *May* the Lord *Peterborough* ſent intelligence that the Confederate Fleet was at hand; which rais'd the Soldiers drooping Spirits, that were almoſt ſunk with continual Duty. On the other ſide, the Enemy redoubled their fire, in hopes of making themſelves maſters of the place before their arrival. But on the 7th in the afternoon, the Town obſerv'd the Enemy's Fleet had loos'd their Foretop Sails, and ſeveral of them weigh'd and ſtood out to Sea; which gave the Town an aſſurance that the Confederate Fleet was not far off.

The following Relation of the raiſing the ſiege of *Barcelona* was publiſh'd by the Allies.

An account of the raiſing the ſiege of Barcelona.

The *Engliſh* and *Dutch* Men of War, commanded by Sir *George Bing*, join'd thoſe under the command of Sir *John Leake*, the 1ſt Inſtant, in the Bay of *Altea*. The 3d they were join'd by Commadore *Walker*, with ſeveral Men of War, and divers Tranſport-Ships, ſo that the Fleet conſiſted of 37 *Engliſh*, and 13 *Dutch*, in all 50 Ships of the Line of Battel, beſides eight Frigates, Fireſhips, Tranſports, and other Veſſels. The 7th the Fleet was off of *Tarragona*, where the Earl of *Peterborough* join'd us with ſeveral

5 ANNÆ, 1706. Barks, on board which were 1400 Land Forces. His Excellency went on board the Prince *George*, and hoiſted the Union Flag on the Maintop. The 8th in the morning we came off of Cape *Montjuich*, and about noon anchored in *Barcelona* Bay, to the inexpreſſible joy of the Inhabitants of this place, who were hard preſs'd by the Duke of *Anjou*'s Army. The *French* Fleet under the command of the Count *de Thoulouſe*, upon the approach of the Confederate Fleet under his Excellency's command, retired the night before.

The *French* had been beſieging this Town 35 days: Their Army in the beginning of the ſiege conſiſted of about 20000 men; of which they have loſt 5000 by the Aſſaults they have made upon Fort *Montjuich*, by the Sallies and the fire from the place, by the Skirmiſhes with the *Miquelets* that lay in the Hills, by Sickneſs and by Deſertion; the Garriſon, when the Enemy ſate down before it, was not above 800 ſtrong, it having not been apprehended that the Enemy wou'd have ventur'd upon this ſiege without firſt having taken *Lerida* or *Gironne*. The Breaches we had made were not quite repair'd; and Fort *Montjuich* was in the ſame condition as when we poſſeſs'd our ſelves of it. But the King of *Spain*'s great Magnanimity, Reſolution, and Courage, and that gracious and eaſie Deportment, whereby he has entirely won the hearts of his people, ſupply'd all defects. His Majeſty ſhew'd no concern but for the danger of this City; and, inſtead of taking meaſures to ſecure his own Perſon, us'd the utmoſt diligence to get Reinforcements, and to ſet the Inhabitants to work, encouraging them by his example to make a vigorous defence. The Earl of *Peterborough*, with great expedition, brought between 2 and 3000 men from *Valentia*,

of which he threw ſeven or eight hundred into the Town by Boats. The Garriſon of *Gironne* had likewiſe the good fortune to get in, and great numbers of the *Miquelets* from all parts did the ſame. My Lord *Peterborough*, with thoſe who could not get into the place, poſſeſs'd himſelf of the ſtrong Poſts in the Hills, about the Enemy's Camp, and the *Miquelets* ſecur'd all the Avenues by which Proviſions might be brought to the Enemy; and this was done ſo effectually, that moſt of the Letters and Couriers that went and came between their Camp and *Madrid* fell into our hands; ſo that at laſt they were forc'd to diſpatch a Frigate to *Alicant* with every Packet they had occaſion to ſend away. The Garriſon being reinforc'd, as is before-mentioned, amounted to about 3000 Foot, and between 4 and 500 Horſe; of which 600 *Engliſh* were put into Fort *Montjuich*. The Enemy began with attacking this Fort; which they expected to have carried ſword in hand: But my Lord *Donnegal* who commanded there made ſo good a defence, that the Enemy being twice repuls'd with conſiderable loſs, thought fit to proceed with greater circumſpection: made regular approaches, rais'd upon ſeveral Batteries above twenty pieces of Canon againſt it; and thus ſpent twenty two days in taking a place which the Earl of *Peterborough* had taken in four. During this attack on the Fort, the Breaches of the Town were all fully repair'd, the Works were put in a good condition, and a great many Canon were mounted; both the Garriſon and Burghers outvying each other in doing what was neceſſary for the defence of the place. The King's Preſence and Example gave life and vigour to the whole; who with great intrepidity often ſhew'd himſelf in thoſe places where was moſt danger. Nor can one ſufficiently commend

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mend his Majeſty's reſolution in the greateſt extremities; his conſtant application to direct every thing that was neceſſary to be done; and above all, his wonderful temper, and thoſe engaging ways by which he gain'd the affections of his people. During the ſiege there happen'd a mutiny, in which the people kill'd ſome of their Magiſtrates. The King in theſe diſorders came out to them, and by his preſence and affable carriage ſoon appeas'd the Tumult. Nor ought the great reſolution of the Inhabitants of this City to be paſs'd in ſilence; whom neither the Duke of *Anjou*'s threats, nor his offers of pardon, could draw from their Allegiance to their lawful King, or make them forget their true intereſt, and the care of their liberty. The Earl of *Donnegal* being kill'd, and our troops having quitted Fort *Montjuich* the 25th paſt, the Enemy then turn'd their Batteries againſt the Town; but the vigorous reſiſtance they met with, oblig'd them to carry on their approaches with the utmoſt regularities. However, firing continually upon the place with a conſiderable number of Canon, they had already made two Breaches; one of which was practicable, as the other wou'd ſoon have been, and their approaches were brought to the Cover'd Way.

Things were in this poſture when we arriv'd: The Earl of *Peterborough* went on ſhore the ſame evening with all the Forces that were on board the Fleet, who were a great part of the night under Arms behind the Breaches; the Enemy having given out that they wou'd ſtorm the place. The next day there was great ſkirmiſhing between the *French* and the *Miquelets* that lay about their Camp, in which the Enemy loſt between 2 and 300 men, as we were told by Deſerters; who aſſur'd us at the ſame time, that they were

were preparing to march off. Upon which orders were ſent to all parts of the Country to take Arms, and to all the troops we had at *Lerida*, *Tortoſa*, and the Horſe which the Earl of *Peterborough* had ſent the ſame way; who will have frequent occaſions to harraſs them at the many Defiles and Rivers they muſt paſs: And they will find it no eaſie matter to get away either to *Arragon* or *France*, the whole Country is ſo enrag'd with the Barbarity they have committed. The Enemy, however, kept firing with their Canon: but this morning about one a clock they march'd off in a manner unexpected, leaving behind them near 200 Braſs battering Guns, 30 Mortars, a great quantity of Bombs, Shot, Shells, Working-tools, and other warlike Stores, 10000 Sacks of Corn, above 3000 Barrels of Powder, and all their ſick and wounded men; whom the Marſhal *de Theſſe* by a Letter recommended to the Earl of *Peterborough*'s Clemency (and his Excellency has been very generous and indulgent towards them;) and which is moſt remarkable, they have left every thing untouch'd, as if it had been for the uſe of their Friends, and not for their Enemies. They are retir'd towards the *French* Frontiers, being purſu'd by the *Miquelets*, and no time will be loſt in doing all that is neceſſary to improve this great advantage. We have an account, that they had receiv'd advice in the Enemy's Army of the Ducheſs of *Anjou*'s having left *Madrid*, and being retir'd to *Pampeluna*. We have now here eleven Battalions of her Majeſty of *Great Britain*'s troops, beſides other Forces; of which a conſiderable Detachment is ſending towards *Gironne*, where two *Dutch* Battalions are in Garriſon. The King of *Spain* has appointed the Count de *Noyelles* and Count *Uhlefeldt* to be Field Marſhals; who are both to receive

5 ANNÆ, 1706. receive their orders from the Earl of *Peterborough*, his Excellency having a ſuperior Commiſſion.

A Letter from King Charles *to the Duke of* Marlborough, *on the raiſing the ſiege of* Barcelona.

My Lord, Duke, and Prince,

YOU could never have given me more convincing proofs of your zeal and concern for my ſervice, and the good of the common Cauſe, than by interpoſing your good offices with the Queen your Miſtreſs, in order that the Fleet and Forces ſhe had deſign'd for my ſervice might uſe the diligence they have ſhewn to come hither. My City of *Barcelona*, wherein I choſe to continue to encourage the Garriſon and Inhabitants to a long and vigorous defence, was reduc'd to ſuch extremities, that without the arrival of this Fleet and Succours, it was to be fear'd that the Enemies, who were actually lodg'd on the point of the Counterſcarp, and had made a ſufficient Breach, would have taken the place in a very little time. I do hereby acquaint you with ſo fortunate an event, and while I hope that the reſt of the Campaign will anſwer this noble beginning, I flatter my ſelf to hear likewiſe in a ſhort time good news from you, and the glorious Operations you have perform'd by your own Valour, and that of the troops under your command. The Queen your Miſtreſs, and Meſſieurs the States-General, could not oblige me more than in ſending hither the Count *de Noyelles*, and Brigadier *Stanhope*, aſſuring you that their Perſons have always been, and always will be acceptable to me. I do not queſtion but you intereſted your ſelf in the choice of both, as you do in every thing that may promote my intereſts, and thoſe of the common Cauſe. Whereupon I pray God to keep you, my Lord, Duke, and Prince,

Prince, in his holy protection, and I aſſure you of my perfect eſteem and gratitude. 5 ANNE, 1706.

Barcelona, May 10, 1706. CHARLES.

When Marſhal *Theſſe* retir'd from before *Barcelona*, he ſent the following Letter to the Earl of *Peterborough*.

MY LORD,

YOU return me with circumſtances more glorious for you, and more mortifying for me, what I lent laſt year to my Lord *Gallway* in the ſiege of *Badajox*. You are very ſenſible of the diſmal neceſſity I am under of raiſing this ſiege, by the arrival of your Fleet, and the retreat of our own. My circumſtances do not permit me to carry away a great many wounded; but humanity, and your generoſity, makes me hope that you will give orders to take care of them. I deſire you, my Lord, to be pleaſed to ſend a Guard, and that they may not be expos'd to any ill uſage from the people and *Miquelets*.. I take the liberty to ſend you by this Trumpeter ſome Money; which I deſire you will order to be given to thoſe who have the direction of the Hoſpital, that they may take care of the ſick, and a farther Sum will be remitted afterwards. The fatality of war makes your glory, and at this day my misfortune. I am beyond all expreſſion, *M. Theſſe's Letter to the Earl of Peterborough.*

My Lord,

Your moſt humble and

Moſt obedient Servant,

The Mareſchal of THESSE.

My

5 ANNÆ. 1706. My Lord, I leave a Commiſſary and Chirurgeon to look after the people I leave behind; and I deſire you once more that they may be taken care of.

A Thanksgiving appointed. Advice of our ſucceſſes in *Flanders*, and of raiſing the ſiege of *Barcelona* arriving much about the ſame time, a Proclamation was iſſu'd, commanding a Thankſgiving to be obſerv'd for both on the 27th of *June* O. S. and an Order of Council was alſo publiſh'd for opening a Trade with ſuch part of the *Spaniſh Netherlands* as acknowledg'd King *Charles* III. and the Queen receiv'd Addreſſes of Congratulation from all parts of the Kingdom.

About this time *James* Earl of *Berkley* was ſworn of the Privy Council, and was made Chancellor of the Dutchy of *Lancaſter*. On the 27th of *June*, being the day appointed for a Thankſgiving, the Queen went in great State to St. *Paul*'s; where Doctor *Stanhope*, Dean of *Canterbury*, preach'd before her on *Deut.* xxxiii. 29. *Happy art thou, O* Iſrael: *Who is like unto thee, O people, ſav'd by the Lord*, &c.

After the Battel of *Rammelies*, the *French* Army retir'd to *Courtray*; where they were reinforc'd by the Marſhal *Marſin* with a body of Foot he was leading from *Germany*; the Horſe of that body having join'd the *French* before the Battel. They were join'd alſo by ſeveral other Detachments, which made them ſomething formidable. Whereupon the Confederates, to maintain their ſuperiority, were alſo reinforc'd by 20 Battalions drawn out of ſeveral Garriſons, and by the troops of *Hanover*, and the *Pruſſians* who ſerv'd the laſt year upon the *Rhine*. There being no likelihood of bringing the *French* to another Engagement this Campaign, it was reſolv'd to inveſt

veſt *Oſtend*, before which place the Trenches were open'd on the 28th of *June* N. S. by General *Fagel*, and Sir *Stafford Fairborne* at the ſame time block'd up the Town by Sea with nine large *Engliſh* Men of War, and ſeveral Bomb Veſſels and Fireſhips. On the 6th of *July* the Garriſon beat a Parley, and on the 7th ſurrender'd, being permitted to march out only with their Swords and Baggage, and promiſing not to ſerve againſt King *Charles* or his Allies for the ſpace of ſix months. The Garriſon conſiſted of two *Spaniſh* Battalions, four *French* Regiments, and four troops of Dragoons; of whom the *Spaniards* moſt of them enter'd into the ſervice of the Allies. There were found in the Harbour two Men of War, one of eighty, and the other of fifty Guns, and about forty five ſmall Veſſels, which were not compris'd in the Capitulation.

5 Anne. 1706.

Oſtend *ſurrenders.*

The Army before *Oſtend* having left a ſufficient Garriſon in that place, march'd and join'd the Duke of *Marlborough* at his Camp at *Rouſſelaer*. About the ſame time his Grace commanded the Prince of *Holſteinbeck*, with eight Battalions, to take poſſeſſion of *Courtray*, which the Enemy had abandon'd. On the 25th of *July* N. S. *Menin* was inveſted by the Allies, but the Artillery not being come up, the Trenches were not open'd till the 4th of *Auguſt*. During this ſiege the Duke of *Vendoſme*, the General the *French* King had pitch'd upon to reſtore the credit of his Arms in the low Countries, arriv'd at *Valenciennes*, and it was given out that he wou'd attempt to raiſe the ſiege of *Menin*. On the 16th of *Auguſt* Brigadier *Cadogan*, who commanded a Party of Horſe that cover'd the Foragers, was ſurpriz'd by a Detachment of the Enemy's Cavalry, and carried priſoner into *Tournay*; but on the 18th was ſent back by the Duke of *Vendoſme*

Courtray *abandon'd.*

Menin *beſieg'd.*

Cadogan *taken priſoner.*

upon

5 ANNÆ, 1706. upon his parole. Whereupon the Duke of *Marlborough* releas'd Baron *Palaviſini*, a Major-General in the *French* ſervice, who was taken at *Rammelies*, by way of exchange.

Menin ſurrenders. The Town of *Menin* beat a Parley the 22d, and on the 25th the Garriſon, conſiſting of 4000 men, march'd out with the uſual marks of honour, and were conducted to *Douay*. They were allow'd alſo to carry away four pieces of Canon, and two Mortars, and were provided with Waggons and Boats; and they were alſo allow'd eight cover'd Waggons. In this Town the Duke of *Marlborough* found four pieces of Canon, with the Arms of *England* upon them, which were taken by the *French* at the Battel of *Landen*; and theſe his Grace ſent to *England*.

Four pieces of Engliſh *Canon found there.*

On the 29th of *Auguſt Dendermond* was inveſted by General *Churchill*, and three days after the Duke of *Marlborough* arriv'd in the Camp before that place, when a breach being made in a Redoubt that cover'd the Town, it was carry'd by ſtorm: Whereupon the Enemy beat a Parley, but were allow'd no better terms than to keep their Swords and Baggage, and be made priſoners of war. The Garriſon conſiſted of two *French* Regiments, a *Spaniſh* Battalion of 700 men, and 200 Dragoons. *Dendermond* being reduc'd, Mr. *D' Averquerque* inveſted *Aeth* the 26th of *September* N. S. which Town ſurrender'd the 3d of *October* following; the Garriſon being allow'd no better terms than *Deudermond*, tho' this place is one of the prettieſt Fortifications in the low Countries, and had a Garriſon of above 2000 men. With this ſiege the Allies finiſh'd their glorious Campaign in *Flanders*, and ſoon after the Army broke up and went into Winter Quarters. The Duke of *Marlborough* return'd to the *Hague*, and Monſieur *D' Averquerque* being appointed to command

Dendermond taken.

Aeth taken.

command in chief in the *Netherlands*, took up his reſidence at *Bruſſels*. 5 ANNÆ. 1706.

On the Duke of *Marlborough*'s arrival at the *Hague*, it was reſolv'd to communicate to the Allies ſome Propoſals of Peace that had been made to the States on the part of *France* by Mr. *D'Alegre*. The States ſaid they had not mention'd them before, as not thinking them worth imparting to the Allies: But that in *October* laſt the Elector of *Bavaria* had written a Letter to the Duke of *Marlborough*, and another to the Field Deputies; which they now thought proper to be communicated, with their Anſwers; and which are as follow. *Propoſals of Peace.* *Letters concerning Peace.*

THE Moſt Chriſtian King, Sir, finding that ſome Overtures of Peace which he had cauſed to be made by private ways, had, inſtead of producing the effect of making known his diſpoſitions for promoting a general Peace, been look'd upon by ill-deſigning perſons, as an Artifice to diſunite the Allies, and make an advantage of the miſunderſtanding that might be created amongſt them, has reſolv'd to ſhew the ſincerity of his Intentions by renouncing all ſecret Negotiations, and openly propoſing Conferences, in which means may be found for re-eſtabliſhing the Tranquillity of *Europe*. *Elector of* Bavaria's *Letter to the Duke of* Marlbro' *on the ſubject of Peace.*

The Moſt Chriſtian King is pleaſed to commiſſion me to inform you of this, and to deſire you to acquaint the Queen of *England* with it.

I give the like notification on the part of the Moſt Chriſtian King to the States-General, by a Letter that I have written to their Field Deputies, and he would do the like with regard to the other Potentates that are at war with him, had they Miniſters ſo near at hand as you are, to receive the like intimation; he having no deſign

5 ANNÆ, 1706. to exclude any of the ſaid Potentates from the Negotiation that ſhall be begun in the Conferences he propoſes.

Farther, for advancing a Good ſo great and neceſſary to *Europe*, which has too long ſuffer'd the inevitable calamities of War, he conſents that a place may forthwith be choſen between the two Armies, and after their ſeparation between *Mons* and *Bruſſels*; in which, with you, Sir, with whom the Intereſts of *England* are ſo ſafely intruſted, the Deputies the States ſhall pleaſe to nominate, and the Perſons whom the King of *France* ſhall impower, they may open their Intentions upon ſo important an affair. I am extremely pleas'd, Sir, to have ſuch an occaſion to make you this Overture, being perſuaded it will leave no room for making a doubt of the Sentiments of his Moſt Chriſtian Majeſty. And as it may be ſo beneficial to all *Europe*, you will be glad to give an account of this to the Queen of *England* without loſs of time, and to whomſoever elſe you ſhall think fit. I ſhall expect your anſwer, Sir, to communicate it to the Moſt Chriſtian King, and ſhall be always ready, Sir, to do you ſervice.

Mons, October 21, 1706.

Sign'd,

M. EMANUEL, *Elector*.

The Duke of Marlborough's *anſwer.*

SIR,

HAving communicated to the Queen my Miſtreſs what your Electoral Highneſs did me the Honour to write to me in your Letter of the 21ſt of the laſt month, of the Intentions of the Moſt Chriſtian King to endeavour to re-eſtabliſh the Tranquillity of *Europe*, by Conferences to be held for that purpoſe between Deputies on both

ſides:

ſides: Her Majeſty has commanded me to an- 5 ANNÆ, 1706.
ſwer your Electoral Highneſs, That 'tis a plea-
ſure to her to be inform'd of the King's Inclina-
tions to agree to the making of a ſolid and laſt-
ing Peace with all the Allies. As this is the ſole
end that oblig'd her Majeſty to continue this
War till now, ſo ſhe will be very glad to con-
clude it, in concert with all her Allies, on con-
ditions that may ſecure them from all apprehenſi-
ons of being forc'd to take up Arms again after
a ſhort interval as happen'd laſt time. Her Ma-
jeſty is alſo willing I ſhould declare that ſhe is
ready to enter jointly with all the high Allies, into
juſt and neceſſary meaſures for ſettling ſuch a
Peace; her Majeſty being determin'd not to en-
ter upon any Negotiation without the partici-
pation of her ſaid Allies: But the way of Con-
ferences that is propos'd, without more particu-
lar Declarations on the part of his Moſt Chriſti-
an Majeſty, does not ſeem proper to her for at-
taining a truly ſolid and laſting Peace. Their
Lordſhips the States General are of the ſame o-
pinion, therefore your Electoral Highneſs will
rightly judge that it is neceſſary to think of o-
ther more ſolid means to attain ſo great an end,
to which her Majeſty will contribute with all
the ſincerity that can be wiſh'd; having nothing
ſo much at heart as the relief of her Subjects, and
the Tranquillity of *Europe*. Your Electoral
Highneſs will always do me the juſtice to be per-
ſuaded of the reſpect with which I have the Ho-
nour to be, *&c.*

Hague, November 20, 1706.

Elector of Bavaria's Letter to the Deputies of

I Doubt not, Gentlemen, you are inform'd of the Diſpoſitions the Moſt Chriſtian King has intimated for a year paſt by different ways, ac-

5 ANNÆ, 1706. cording as opportunities preſented, to put an end to the War which for ſeveral years has afflicted the greateſt part of *Europe*. The Moſt Chriſtian King diſcover'd thoſe Diſpoſitions with a ſincere Intention to forward the concluſion of a ſolid and laſting Peace. In the mean time they were employ'd to do this, having done it ſecretly, becauſe they were not authoriz'd to act otherwiſe, thoſe who are not inclin'd to Peace have miſinterpreted thoſe firſt proceedings, and repreſented them as a Deſign form'd to divide the States General from their Allies, in order afterwards to make advantage of their Diſunion. 'Tis his Moſt Chriſtian Majeſty's deſire to have his real Intentions no longer doubted; wherefore he has determin'd to propoſe that Conferences may forthwith be open'd, in which thoſe whom he ſhall impower may treat with thoſe whom the Queen of *England* and the States General ſhall appoint, of the means for concluding a laſting Peace. He has caus'd the ſame Declaration to be made to the Duke of *Marlborough* by a truſty perſon; to whom I have diſcover'd his Sentiments, that he may inform that Duke of them. And 'tis with pleaſure I diſcharge the Commiſſion he has given me to tell you, that being perſuaded of your good will, Gentlemen, to contribute to ſo great a Good, he would be very glad ſhould their Lordſhips the States empower you to aſſiſt at the Conferences propos'd; which he conſents may be held in ſuch place as ſhall be judg'd convenient between the two Armies for the time they keep the Field, and afterwards between *Bruſſels* and *Mons*. I deſire you to inform the States of theſe Diſpoſitions of the Moſt Chriſtian King, to which I hope theirs will be conformable, for the quiet and good of *Chriſten-*

the States on the ſubject of Peace.

Chriſtendom. I expect their anſwer by you, and am, Gentlemen, wholly yours. 5 ANNÆ, 1706.

Mons, October 21. 1706.

Sign'd,

M. EMANUEL, *Elector.*

MONSEIGNEUR,

YOUR Electoral Highneſs having done us the Honour to acquaint us by your Letter of the 21ſt of *October* paſt, with the Intentions of his Moſt Chriſtian Majeſty to forward the concluſion of a ſolid and laſting Peace, in propoſing the ſending of Deputies on both ſides to ſome place between the two Armies, and after their ſeparation, to ſome place between *Mons* and *Bruſſels*, to enter upon Conferences on ſo important a ſubject; we did not delay to impart it to the Lords the States General, your Electoral Highneſs having made the ſame Overture to the Prince and Duke of *Marlborough*. Their High Mightineſſes did not think fit we ſhould anſwer you before the ſaid Prince and Duke had his anſwer from *England*; that is the reaſon why we have not done it ſooner. At preſent their High Mightineſſes have order'd us to tell your Electoral Highneſs, that they have receiv'd, with great pleaſure, the aſſurances you give them of the ſincere Intention of his Moſt Chriſtian Majeſty to ſeek means to eſtabliſh, as ſoon as may be, a ſolid and laſting Peace with all the Allies. 'Tis juſt ſuch a Peace that they wiſh for and deſire: All who know the Inclinations and Intereſts of their Republick will eaſily believe this; and the States would never have enter'd into the War, cou'd they have maintain'd the Peace with ſome ſecurity. Your Electoral Highneſs knows with what great pains and ſincerity they labour'd to

Their anſwer.

5 ANNÆ, 1706. that purpoſe; but as thoſe Efforts proving uſeleſs they were conſtrain'd to take Arms, together with their high Allies, for the defence of their Liberty, and the publick Safety; ſo they will be very glad to lay them down as ſoon as poſſible, when they can do it with the ſatisfaction of all their Allies, and on Conditions that give reaſonable grounds to hope they ſhall not be oblig'd to take them up again after a ſhort interval of time; of which the examples, and ſhort continuance of former Treaties of Peace, make them apprehenſive. In the mean while their High Mightineſſes are ready to enter, jointly with their Allies, into all juſt and neceſſary ways that may lead to a general Peace. But that of Conferences propos'd, without a particular Declaration of his Moſt Chriſtian Majeſty's Intentions, does not appear to them to be proper to the end propos'd (nor has it appear'd to be ſo to her Majeſty the Queen of *Great Britain*) no ſuch ſufficient Overture having yet been made to them, as they could judge ought to be communicated to their Allies; well knowing they would find no ſatisfaction therein: Wherefore more proper means ſhould be thought of for attaining this great end, in which their High Mightineſſes will concur when they ſhall ſee better cauſe; the ſincerity of their deſires of Peace being ſufficiently known. We have the Honour to acquaint your Electoral Highneſs with their Sentiments, and to aſſure you that we are with very much reſpect,

Monſeigneur,

Your Electoral Highneſs's moſt humble and

Moſt obedient Servants,

Ferdinand van Collen Cuper, &c.

In

In *Italy* the *French* had ſome little Succeſs at the beginning of the Campaign; for the Duke of *Vendoſme* having attack'd the *Imperialiſts* at *Calcinato*, in the abſence of Prince *Eugene* (who was gone to *Vienna* to ſolicit farther Reinforcements) drove them from their Poſts, and oblig'd them to retire out of the *Breſcian* with the loſs of 3000 men kill'd or taken: And ſo precipitate was their retreat, that they loſt great part of their Baggage and Canon, beſides ſome heavy pieces they were forc'd to throw into the Lake *de Garda*. After this Succeſs the Duke *de la Feuillade* receiv'd orders from the *French* King to ſit down before *Turin*: Whereupon he ſent Mr. *Marignan*, his Quarter-maſter General, with a Trumpet to his Royal Highneſs, to acquaint him that he had receiv'd orders from Court to form the ſiege of *Turin*, and at the ſame time to have all imaginable regard to the Royal Family there, and to offer them Paſſports, with a Guard, before the ſiege was begun, or even during the ſiege. His Royal Highneſs anſwer'd, He was oblig'd to the King for the offer he made him, but he did not think of removing his Family yet; and whenever he did, he ſhou'd have no occaſion for a Paſs or a Guard; and that the Duke *de la Feuillade* might execute his Maſter's orders, and begin the ſiege when he thought fit.

5 ANNÆ. 1706.

Campaign in Italy.

Imperialiſts *beaten at* Calcinato.

Turin *beſieg'd.*

The 8th of *June* at night, the Duke *de la Feuillade* began to bombard and batter the Town and Citadel. The 15th the Beſiegers fir'd red hot Bullets, many of which fell near the Duke's Palace: Whereupon his Royal Highneſs thought fit the next morning to ſend the two Ducheſſes, with the young Prince and Princeſſes out of the Town to *Quieraſco*, and his Highneſs march'd out himſelf on the 17th, having left a numerous Garriſon under the command of Count *Thaun*, General

The Ducheſſes of Savoy *retire out of the Town: And the Duke leaves the Town.*

5 ANNÆ, 1706. General of the Emperor's Forces, with plenty of all manner of Ammunition and warlike Stores for their defence. His Royal Highneſs kept open his communication with *Turin* till the 20th of *June*, when 20 Battalions of the Enemy, and 46 Squadrons advancing to *Montcalier*, he was oblig'd to retire farther off, and was purſu'd by the Duke *de la Feuillade* almoſt to *Quieraſco*; whereupon his Royal Highneſs remov'd his Family to *Mondovi*, and afterwards to *Genoa*. The Duke *de la Feuillade* ſtill purſu'd the Duke of *Savoy*, but at length finding it to no purpoſe, he return'd to the Camp before *Turin*, leaving the Count *D'Aubeterre* with five Battalions, and forty Squadrons, to attend the motions of his Royal Highneſs.

The Duke of *Orleans* arriv'd in the Camp before *Turin* the 8th of *July*, where little progreſs had been made in the ſiege; the Works being carried on no faſter than the Miners advanc'd in the Saps, and diſcover'd the Mines of the beſieged, of which there were a great many. The Duke of *Orleans* having diſtributed ſome money amongſt the Soldiers, ſet out for *Milan* on the 10th, when the Duke *de la Feuillade* march'd again in purſuit of the Duke of *Savoy*, who was retir'd to the Valley of *Lucerne*, among the *Vaudois*; but finding it impracticable to drive his Royal Highneſs from thence, he return'd to the Camp before *Turin* the 23d of *July*. The Duke *de la Feuillade* being retir'd, his Royal Highneſs march'd out of the Valley of *Luterne*, and return'd to his former Camp at *Bubiane*; where he receiv'd Letters from Prince *Eugene*, with advice of his having paſs'd the *Adige* and *Po* in order to join him.

The Duke of *Vendoſme* being recall'd about this time by the *French* King to command his Army

Army in *Flanders*, the Duke of *Orleans* took upon him the command of the Forces that were to oppoſe Prince *Eugene*: But notwithſtanding the *French* had intrench'd themſelves behind the *Adige*, and ſeveral other great Rivers, as if they intended to diſpute the paſſage with the *Imperialiſts*, Prince *Eugene* met with an inconſiderable oppoſition till he join'd his Royal Highneſs, which was about the firſt of *September*. *Turin* ſtill held out, but was reduc'd to great diſtreſs, having ſpent almoſt all their Powder, and the Enemy having made a Lodgment upon their Counterſcarp, and attack'd a half Moon, and two Counterguards, and carried them: Indeed, they were beaten out again by the *Imperialiſts*, but it was impoſſible the beſieg'd cou'd have reſiſted many ſuch attacks, having ſpent their Ammunition. His Royal Highneſs and Prince *Eugene* therefore found themſelves under a neceſſity of marching immediately to their relief; of which Baron *Hohendorf* brought the following account to the States General.

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Prince Eugene joins the Duke of Savoy.

High and Mighty Lords,

I Have the happineſs to be choſen by his Royal Highneſs the Duke of *Savoy*, and by my Lord Prince *Eugene*, to bring your High Mightineſſes the news of a glorious Victory which they obtain'd over the Enemy in the Neighbourhood of *Turin* the 7th of this month. His Royal Highneſs and Prince *Eugene* hope that you will be as much rejoyc'd at their Succeſs, as you have had a ſhare in the glory of it, by the great ſupplies which you ſent ſo generouſly to the Prince of the World who deſerv'd it beſt.

Relation of the Battel of Turin by the Allies.

In ſhort, after having paſs'd four great Rivers which ſerv'd as Ditches to the four Intrenchments which the Enemy had caſt up to hinder

our

5 ANNÆ, 1706. our paſſage, and after 34 days march, our Army arriv'd in the Neighbourhood of *Turin* the 31ſt of the laſt month. The 1ſt of *September* his Royal Highneſs join'd us with his Cavalry, and all the Army paſſed the *Po* on the 4th betwixt *Montcalier* and *Carignan*. On the ſide of *Quiers* we left four Battalions, and 10000 of the Militia, under the Count *de Santena*, with a quantity of Powder to throw into *Turin* in caſe the Enemy had quitted the Mountain to oppoſe our Army with all their Forces. On the 5th we encamp'd by the *Doire*, and his Royal Highneſs having advice that a *French* Convoy of 1300 Mules was coming from *Suza*, he ſent the Marquis *de Viſconti* with the Cavalry of the right of the firſt Line by the Ford of *Elpignan*; and with the Cavalry of the ſecond Line of the ſame wing, the Marquis *de Langallerie* paſs'd below *Pianeſſa*; and thus the Convoy, being then about that Village, was between them. Monſieur *Boneil*, who commanded the Guard, was put to the rout, and the Regiment of *Chatillon* entirely defeated. That day we took 800 loaden Mules, and at night the Caſtle of *Pianeſſa*; whither the reſt of the Convoy, and of the Regiment of *Chatillon*, with ſixteen Standards, had made their eſcape, and ſurrender'd at Diſcretion, with its Garriſon conſiſting of eighty Foot.

On the 6th we paſs'd the *Doire*, and encamp'd with our right on the Bank of that River before *Pianeſſa*, and with our left on the *Stura* before *La Venerie*. In the evening our troops had orders to make ready for Battel againſt next morning; which they receiv'd with inexpreſſible joy.

On the 7th by break of day we march'd to the Enemy, who were intrench'd very deep, having the *Stura* on their right, the *Doire* on their left,

and

and the Convent of the Capuchins of our Lady *de la Campagne* in their center; and beſides this, *Luſeinge*, and ſeveral other fortify'd Caſſines flank'd their Intrenchment. 5 ANNÆ, 1706.

Our Infantry march'd in eight Columns, four of the firſt, and as many of the ſecond Line; all the Grenadiers of each Column being at their head. The Artillery was divided proportionably among the Infantry, and our right ſtill flank'd the Bank of the *Doire*, and our left that of the *Stura*. Behind the Foot march'd the Cavalry; the firſt Line in ſix Columns, and the ſecond by Brigades.

Never was there any thing more bold than this march, the Enemy firing continually from forty pieces of Canon; but this great fire ſerv'd only to enflame the courage of our men.

Within half Canon ſhot we drew up in order of Battel; all the Generals went to their Poſts, our Canon begun to fire, and our military Muſick to play. We left a proper diſtance betwixt the Brigades of our Foot, by which we might march our Horſe in caſe of need; which precaution was of great uſe to us afterwards. Upon notice that all was in order, the whole Army mov'd in a moment; our Infantry march'd up with their Muſquets on their Shoulders to the foot of the Intrenchments, then the great fire with their Muſquets began; and ſince, by the unequal ſituation of the Ground, our left wing ſuſtain'd alone for ſome time the Efforts of the Enemy, that ſtopt them a little, but without making them to give Ground; that very moment Prince *Eugene* came up, drew his Sword, and putting himſelf at the head of the Battalions on the left, broke into the Enemy's Intrenchments in an inſtant.

His

5 ANNÆ, 1706. His Royal Highneſs did the like in the center, and our right near *Luſeinge*. In concluſion, we triumph'd on all ſides, and at the ſame time our Horſe advancing thro' the Intervals left for them, 'twas no longer a fight, but a purſuit of Runaways; and our Horſe counted it a ſcandal to their valour to cut down men that fled with ſo great precipitation; and this ſav'd many of the Enemy's lives.

By noon the Victory was wholly ours, and the City entirely deliver'd; for the Enemy abandon'd the attack, and all their Camp retir'd with the remains of their Army to the other ſide of the *Po*. The reſt of the day was ſpent in taking ſeveral Caſſines and Redoubts poſſeſs'd by the Enemy, who all yielded themſelves Priſoners of War; and his Royal Highneſs enter'd triumphantly his Capital that evening.

High and mighty Lords, this is a true Relation of what our Army has done in *Piedmont*. I forbear to ſpeak of the Actions of the two great Princes that commanded it, being at a loſs for words to deſcribe them. I have the Honour to be ſent hither rather to publiſh the eternal acknowledgment they promiſe you, than the great valour by which they have rendred themſelves worthy of your friendſhip. I do it by theſe lines, profeſſing my ſelf at the ſame time, with moſt profound reſpect,

High and Mighty Lords,

Your moſt humble and

Moſt obedient Servant,

De HOHENDORF.

The

5 ANNÆ, 1706.

French *account of the raising the ſiege of* Turin.

The 7th of this Month, the Duke of *Savoy* and Prince *Eugene*, after having paſs'd the *Po* and the *Dora*, attack'd the Intrenchments, which had been made between the *Dora* and *Stura*; they were defended for near two hours by the Duke of *Orleans*, who every where animated the troops by his example. They were very much inferior to the Enemies, becauſe of the great body of Foot which had been left on the Hills of the *Capuchins*, and ſeveral other Poſts. The Duke of *Orleans* having receiv'd two wounds, which oblig'd him to retire to have them dreſs'd, the Enemies improv'd that occaſion, got into the Intrenchments, and put ſome troops into *Turin*. Part of the Army retir'd towards *Pignerol*, under the Command of the Marquis *de St. Fremont*, who brought up the Rear; and the other part which was poſted on the Hills of the *Capuchins* on the other ſide of the *Po*, has joined the Duke of *Orleans* under *Pignerol*, commanded by Count *Albergotti*, and the *Sieur Darennes*; ſeveral Officers were kill'd and wounded in this action, and among them the Mareſchal *de Marſin*, who being dangerouſly wounded, was taken by the Enemy, and it is thought he is dead of his wounds; we do not know yet the particulars of the loſs, but only that that of the Enemy's is much greater.

Count Daun's *Letter concerning the relief of* Turin.

SIR,

THE Enemy having cut off our Communication from all parts in this cloſe and long Siege, it was impoſſible for me to write to your Excellency, but the 7th inſtant I and the whole Garriſon were relieved by the approach of Prince *Eugene* with his Army; that Prince and his Royal Highneſs, being joined together, defeated the Enemy about Eleven of the Clock, and forc'd them

5 ANNÆ, 1706. them to give over their long Attack: The Enemy run away with precipitation towards *Pignerol*, leaving behind them 57 Field-pieces, 120 pieces for Batteries, 4000 Bombs, and ſeveral other things neceſſary in a Siege; they left likewiſe behind them the Mareſchal of *Marſin* Priſoner, who dyed three days after of his wounds; five other Generals, a great many Officers, and near 6000 Priſoners, beſides a great many Standards, Colours, Kettle Drums, *&c.* Being informed that Prince *Eugene* has acquainted you with all the particulars of that glorious Action, I ſhall forbear to trouble your Excellency with any further account thereof, and tell you only ſome particulars relating to the Siege of this place. The Enemy, as your Excellency knows very well, came before this place with 70 Battalions and 50 Squadrons the 13th of *May* laſt; and on the 26th they opened their Trenches, and carried on two Attacks, one againſt the Citadel, and another againſt the City. They made their Batteries, and carried on their Approaches with ſo much ſucceſs, that 20 days ago, by means of their great fire, they made breaches in two Counterguards, a Half-moon, and a Baſtion; which were ſo eaſy to be mounted, that they attempted three ſeveral times to lodge themſelves thereon, tho' they were as often repulſed: The fire laſted 4 hours in the firſt Storm, during which the Enemy renewed their attack three times; but the Garriſon made ſo brave a defence, that they drove the Enemy over the ditch, ſo that they gained none of our Works; and contented themſelves to make a Lodgment on the Covered Way. One of our Mines having blown up one of their Demi-canon from their Batteries, our Grenadiers brought the ſame into the place. Our Garriſon has ſuffer'd very much in this long Siege; and I muſt tell you, that the Enemy

Enemy made, during the ſame, ſuch a terrible fire from their Canon, Mortars, and ſmall Arms, and threw ſuch a number of Bombs, Grenadoes, and Stones, that I verily believe the like was never ſeen in any Siege. Many brave and noble actions have been performed by our Garriſon on this occaſion, and they have found out ſeveral new means to defend themſelves, and diſpute the ground Inch by Inch, in order to gain time; and had they not wanted Powder, they wou'd certainly have made a greater execution. The conſtancy and zeal of the ſaid Garriſon cannot be ſufficiently prais'd; and tho' two thirds of them were new rais'd men, and Boors; yet every one, as well Soldiers as Officers, have ſhewed ſo much bravery, that they always appear'd ready to ſacrifice themſelves for the common Cauſe. I am oblig'd to mention Collonel *Hauthois*, and give him the praiſes he has ſo juſtly deſerv'd. He was left in this place with 500 horſe, and has not only perform'd ſeveral good and brave ſervices during the Siege, but having ſallied out the day the Battel happen'd, he fell on the Enemy's Rear, took a General, with a Collonel, a Lieutenant Collonel, 31 Officers, and 300 Soldiers Priſoners, whom he brought with him, beſides three Colours. This is the happy event of a long and expenſive Siege, which has laſted four Months. The Officers taken Priſoners tell us, that they have loſt ſuch a number of men in the Siege before the Battel, that I have not aſſurance enough to report it, I am, *&c.*

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W. V. DAUN.

Turin, September 12. 1706.

Baron *Hohendorf* ſoon after arriv'd in *England* with Letters of the ſame tenor for her *Britanick* Majeſty;

5 ANNÆ, 1706. Majesty; but the news of the Victory at *Turin* was got to *England* before him, and had been communicated by the Queen to the City, on which there were great rejoicings: Two days after the Battel of *Turin*, Count *Medavi* had the good fortune to defeat a Body of *Hessians* and other *German* Troops under the command of the Prince of *Hesse* near *Medoli*, which was some little consolation to the *French* under their many misfortunes, but this could not retrieve their Affairs in *Italy*; for the Duke of *Savoy* and Prince *Eugene*, in order to improve their late Victory, march'd into the *Milanese*, where one Town after another surrender'd to them; and on the 24th of *September*, N. S. the City of *Milan* itself sent a Deputation offering to submit to his Imperial Majesty, and the House of *Austria*; and on the 26th Prince *Eugene* made a triumphant Entry into that City: The Duke of *Savoy* having reduc'd *Piccighitone*, *Tortona*, *Alexandria*, *Modena*, and several other places of less note, on the 16th of *November* appear'd before *Casal*, which surrender'd on the 6th of *December*, the Garrison consisting of 1886 men, being made Prisoners of War; in this place his Royal Highness found 76 pieces of Canon, 70000 weight of Powder, 28000 Grenadoes, and a great quantity of other ammunition and provisions. With this Siege ended the Campaign in *Italy*, and the Troops, except a body under the Prince of *Hesse Cassel* who were left to block up *Cremona*, were sent into winter quarters. Prince *Eugene* went to *Milan* on the 14th of *December*, of which Dutchy he was made Governor for King *Charles*, his Imperial Majesty having granted the Investiture thereof to the King of *Spain*: The Castle however continued in the possession of the Enemy till the 12th of *March*, N. S. when the Marquis *de St. Pater* arrived there with the ratification

Milan *submits to the Emperor.*

Casal *surrenders.*

of

of a Treaty by the *French* King, for the quitting of all places which he or King *Philip* held in the *Milaneſe*, *Mantuan*, *Cremoneſe*, and *Montferrat*, on condition, that their Troops ſhould be ſafely conducted to *Suza*; thus an end was put to the War in *Italy*. ANNÆ, 1706. *The* French *evacuate the* Milaneſe, Mantuan, &c.

The *Portugueſe* being ſuperior to the Duke of *Berwick*, began the Campaign with the ſiege of *Alcantara*, before which Town they ſate down the 10th of *April*, N. S. This being a place of no great ſtrength, the Garriſon capitulated the 14th, and ſubmitted to be made priſoners of War, to the number of 3282, beſides Officers. After this Succeſs, the Earl of *Galway* publiſh'd a Manifeſto, declaring, that he did not come into *Spain* as an Enemy, but to free them from the *French* Yoke; and that whatever Officers or Soldiers wou'd return to the Obedience of their lawful Sovereign King *Charles* the Third, ſhould enjoy the ſame Poſts they had under King *Philip*. *Campaign in* Portugal. *Alcantara taken.* *E. of* Galway's *Manifeſto.*

King *Philip* having left his Queen behind him at *Madrid*, when he march'd into *Catalonia*, ſhe was juſtly apprehenſive that the *Portugueſe* and their Allies, after the Surrender of *Alcantara*, wou'd have march'd directly to *Madrid*; whereupon ſhe ſummon'd the Magiſtrates of that City to attend her, to whom ſhe made the following Speech, *viz.* I ſent for you hither, and appear my ſelf to tell you what diſtreſs the State is in; I cannot conceal it from you, while the King is expoſing his life for your defence: Heaven bleſſes his Arms in *Catalonia*, and we hope, that rebellious Province will ſhortly be reduc'd. Affairs do not go ſo well in *Eſtramadura*: The *Portugueſe* advance; will you tamely ſee ſuch Enemies approach you? Do you not think of exerting your utmoſt efforts to make them repent their Audaciouſneſs? The preſervation of the Monarchy is *Queen of* Spain's *Speech to the Magiſtrates of* Madrid.

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now the point in queſtion: You ought, in this preſſing Neceſſity, to ſhew your Loyalty and Zeal by ſacrificing your all for the King, for me, and for your ſelves: Powerful and ſpeedy ſuccours are requiſite. I am the firſt Queen that appeared in this place on ſuch an occaſion; when I give you ſuch extraordinary marks of affection, I well deſerve you ſhou'd do ſomething for me, and defend me.

The Spaniards *decline to aſſiſt her.*

This pathetick Speech had no effect, the *Spaniards* were not to be mov'd; they found themſelves oppreſs'd by the *French*, and, like ſome other Nations at this day, fear'd no change for the worſe: They were beaſts of burden already, inſulted and trampled on by a People whom of all the world they moſt hated and deſpiſed, and what worſe cou'd happen to them? But this favourable juncture was unhappily loſt by the needleſs fears or obſtinacy of the *Portugueſe*: Notwithſtanding all the Remonſtrances of the confederate Generals for marching to *Madrid*, they perſiſted in their Reſolution of remaining near their own frontiers, till the ſtate of *Barcelona* was determined. On the 10th of *May*, while the *Portugueſe* and confederate Generals were thus debating on the future operations of the War, *Don Joſeph Belvis* arriv'd in the Camp, being diſpatch'd by the Earl of *Peterborough* from *Valentia*, with Letters to the Earl of *Galway*, giving an account, that the Enemy met with great difficulties in the ſiege of *Barcelona*; and that if they were oblig'd to raiſe the ſiege by the arrival of the confederate Fleet, it wou'd be impoſſible for them to retreat through *Arragon*, but they muſt fetch a great compaſs through *France*; and therefore he deſired my Lord *Galway* to march directly to *Madrid*, where he ſhou'd be join'd as ſoon as poſſible by all the Forces on that ſide: But neither

The Portugueſe *refuſe to march to* Madrid.

cou'd

cou'd this Advice prevail with the *Portugueſe* to alter their Reſolution; therefore on the 11th of *May*, being the day that King *Philip* rais'd the ſiege of *Barcelona*, they began their march towards *Cividad Rodrigo*, which they inveſted the 21ſt, and beyond their expectation the place ſurrender'd the 26th, the Regiment of *Aſturia* being permitted to march away, on condition not to ſerve againſt King *Charles* for the ſpace of a year; and 3000 of the Militia that were in Garriſon ſurrender'd their Arms, and took an Oath never to ſerve againſt the Allies: On the 27th, the News of the raiſing the ſiege of *Barcelona* was brought into the Camp, whereupon it was unanimouſly agreed to march to *Madrid*, and the neceſſary diſpoſitions for that march were made accordingly. 5 ANNÆ. 1706.

Cividad Rodrigo *taken.*

On the 7th of *June*, the Army arriv'd at *Salamanca*, and on the 18th encamp'd at *Eſpinal*; where Deputies from the *Eſcurial* came to make their ſubmiſſion. Here, by the Letters of ſome intercepted Couriers, they had advice of the Victory obtain'd at *Rammelies*, and underſtood that the *Spaniards* generally look'd upon King *Philip*'s Affairs as deſperate. That Prince arriv'd at *Madrid* by way of *France*, after his diſgrace at *Barcelona*; and obſerving, that the *Portugueſe* bent their March towards that City, he retir'd from thence to join his troops, that were returning thro' *Navarre*, and commanded the reſt of his troops that were diſperſed through *Spain* to follow him. Before he left *Madrid*, he propos'd it to the Grandees, and other Nobility, to take the Field with him, but they deſir'd to be excus'd, and moſt of them retir'd to their Country Seats; the *Spaniards* ſeem'd very indifferent which Party ſucceeded, at leaſt they did not think it worth their while to hazard any thing for either: King

The Portugueſe *March to* Madrid, *after the raiſing the ſiege of* Barcelona.

King Philip *arrives at* Madrid, *and retires from thence again.*

5 ANNÆ, 1706. *Philip* had diſguſted them by following *French* Councils, and promoting ſome of the Subjects of that Nation; and that bigotted people were made to believe their Religion would be in danger from King *Charles* and his heretical Allies: Thus they ſtood neuter, and ſaw the two Pretenders to their Allegiance play a Prize for the Crown.

The Allies take poſſeſſion of Madrid. The Army of the Allies encamp'd the 24th of *June* at *Nueſtra Signora de Ratamal*, and the ſame day a detachment of Horſe was ſent to take poſſeſſion of *Madrid*; from whence there came a Deputation the next day to offer their ſubmiſſion in form, and moſt of the Nobility and Perſons of Diſtinction came into the Camp to expreſs their devotion (whether real or pretended) for the Houſe of *Auſtria*: Here the Earl of *Galway* receiv'd an Expreſs from King *Charles*, with advice, that the Earl of *Peterborough* had embark'd the Infantry for *Valentia*, where the King of *Spain* was to join him with the Cavalry, and that then they would march towards *Madrid*.

King Charles *proclaim'd there.* On the 27th the *Portugueſe* mov'd nearer *Madrid*, and caus'd King *Charles* the Third to be proclaim'd in that City, and ſome people fancied there appear'd great joy in the Faces of the People; but it ſeems their joy did not appear much leſs when King *Philip* return'd again; and indeed there is little to be learned from the Countenances of the People on theſe occaſions; whatever ſide has a ſuperior force to ſupport them will be very loud in their Acclamations, and may perhaps induce thoſe of a contrary party ſeemingly to join with them; and thus it is not uncommon to have a people repreſented as unanimous for this or that Prince or Party, when nine in ten of them are in their hearts quite otherwiſe.

But to proceed; the proclaiming of King *Charles* at *Madrid* had an Influence upon ſome other

other places, and particularly on *Toledo*, which immediately declar'd for him: And even Cardinal *Portocarero* wrote to the Marquis *das Minas*, aſſuring him of his Submiſſion to King *Charles* the Third, and the Courts of Judicature adminiſtred Juſtice in his name. In the mean time the Generals ſent Expreſs after Expreſs to King *Charles* to join them, before King *Philip* was reinforc'd; but it ſeems he had alter'd his reſolution on the Kingdom of *Arragon*'s declaring for him; and marched with his Troops to *Saragoſſa*, where he receiv'd the Submiſſion of the ſeveral Towns of that Province, who ſwore Allegiance to him. Here his Majeſty was entertain'd with a Bull Feaſt and other diverſions ſo long, that all the Paſſes were taken, and it was found impoſſible to march from thence directly to *Madrid*; whereupon the firſt reſolution was reſum'd of marching by *Valentia*: In the mean time, the *Portugueſe* were reduc'd to great Straits for want of Proviſions, ſeveral Towns in *Old Caſtile* having declar'd for King *Philip* again. At length the Duke of *Berwick* being ſufficiently reinforc'd, appear'd in ſight of the Allies; and on the 3d of *Auguſt* ſent a Detachment from his Army to *Madrid*, the Allies being withdrawn from thence ſome time before to a more advantagious Camp, for they were now glad to be upon the defenſive: It is ſaid, thoſe who had diſcovered themſelves to be in the Intereſt of the Houſe of *Auſtria* met with very barbarous treatment on this Revolution of Affairs: And it being almoſt impoſſible for private perſons to inform themſelves rightly of the power or intereſt of Princes; it behoves every Man to be very cautious how he declares himſelf upon theſe occaſions. I muſt confeſs, an honeſt Man has no choice, after he is convinc'd where the Right lies, and ſees a probability of ſucceſs; I lay it down as

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Toledo *ſubmits.*

Cardinal Portocarero *declares for* K. Charles.

K. Charles *trifles away his time at* Saragoſſa.

The Duke of Berwick *takes poſſeſſion of* Madrid *again for King* Philip.

5 ANNÆ, 1706. a Maxim, that every Man is bound to defend his lawful Prince, when he has an opportunity of doing it; without this Principle, it is impoſſible any Government can be ſupported (unleſs it be by a ſtanding Army and arbitrary Meaſures.) On the other hand, no Man is bound to expoſe himſelf and his Family to ruin, where there is no proſpect of ſucceſs; it is not for his Prince's advantage that he ſhou'd; for he deprives him thereby of a uſeful friend, who might do him ſervice another time. But it will be objected, that the prevailing Party will not be contented with your ſilence, you muſt declare yourſelf, you muſt ſwear Allegiance to them; nay, you muſt abjure all others, or be look'd upon and us'd too as a declar'd Enemy. To this I anſwer, that the Caſe is much the ſame, as where a Man is call'd upon to abjure or renounce his Religion: There have been people who have comply'd with the force put upon them in both theſe Caſes, nay, the generality of people do juſtify it too; ſome, indeed, do it in hopes that God will be merciful to them, and that the ſtrength of the temptation will in a great meaſure plead their excuſe. But if this practice is allowable, then let Men no more complain of Unfaithfulneſs, of the want of Truth, or the cowardice of their Friends and Acquaintance. There was a time when Truth, Juſtice and Fortitude were look'd upon as Virtues: In Heathen *Rome* there wanted not Heroes who were proud of ſacrificing themſelves for their Country: How is the World degenerated ſince, that we, who have not only thoſe inducements that animated them, but pretend to be governed by ſuperior motives: How is it, that we, inſtead of excelling them, are ſtill more puſillanimous, and tamely part with our Honour, Integrity and Truth upon every appearance of danger? Do we not by this practice plainly

ly give up our expectations in another ſtate, on condition of enjoying our eaſe in this: If we can be ſaid to enjoy any, while we are hated and abuſed by our Enemies, deteſted by our Friends, and diſcarded by Heaven it ſelf? But to return from this Digreſſion. 5 ANNÆ. 1706.

On the 6th of *Auguſt* King *Charles* and the Lord *Peterboro'* arriv'd in the Camp of the Allies at *Guadalaxara*, with their Troops, conſiſting of five Battalions and 13 Squadrons; which did not put them into a capacity of acting offenſively, but enabled them however to make a handſome retreat, and the Earl of *Peterboro'* was diſpatch'd to *Italy*, to ſolicite further Reinforcements; the Allies having conſum'd the Forage about *Guadalaxara*, retir'd from thence, and on the 15th of *September* paſs'd the *Tagus* at *Fuenti Duennas*, and the next day were join'd by Lieutenant General *Windham* with three Battalions of Foot and a Regiment of Horſe lately rais'd by the Earl of *Peterboro'*: The Enemy paſs'd the *Tagus* at *Aranguez*, and attended upon the confederate Army during their March; but did not think fit to attack them. K. Charles *joins the* L. Galway *at* Guadalaxara.

The following account of the March of the Confederates to *Madrid*, and their retreat from thence, was publiſh'd by Authority at *London*.

The 24th of *June* N. S. the City of *Madrid* ſubmitted to King *Charles* III. upon the approach of the confederate Army commanded by the Marquis *das Minas* and the Earl of *Galway*; ſeveral Expreſſes, and divers parties of Horſe, were immediately diſpatch'd to the King of *Spain*, ſome by the way of *Valentia*, others by *Arragon*, to haſten his coming to his Capital City with as many Troops as he could; for the Enemy's Army, which had been employ'd in the Siege of *The March of the Allies to* Madrid, *and their retreat from thence*

5 ANNÆ, 1706. *Barcelona*, marching with great diligence through *Navarre* to get back to *Caſtile*, and the Body commanded by the *Conde de las Torres* having join'd the Duke of *Berwick*, as the reſt of their Troops which were in the ſeveral Provinces had likewiſe done: It was neceſſary we ſhou'd alſo draw all our Forces together to preſerve our Superiority, or at leaſt to prevent the Enemy's outnumbering us. His Catholick Majeſty being proclaim'd at *Madrid*, many conſiderable Towns followed this Example, and declar'd for him.

In the mean time, the Duke of *Anjou* was got to *Atienca* within 20 Leagues of *Madrid*, and at the entrance of the mountains of old *Caſtile*, where he had 5000 Horſe and 10 Battalions of Foot.

The *Spaniards* then began to ſhew their uneaſineſs, having no certain account of the King's march, nor of any Troops coming to reinforce us; and the King's long abſence gave occaſion to Reports, which cooled the affection of ſome, and diſheartned others of the *Spaniards*: And ſome Prieſts at *Madrid* and *Toledo* confidently aſſerted in publick, that King *Charles* was dead, and that they had ſeen him embalm'd; whereupon, ſeveral Officers among the *Spaniſh* Troops, who had promis'd to declare for his Catholick Majeſty, fell off from their word, believing this Report to be true. And upon advices, that the *French* Troops were got into *Navarre*, many of the Inhabitants of *Arevalos*, where *Don Franciſco Ronquillo* Reſident of *Caſtile* has his Seat, were induc'd to take up Arms: And by their example, thoſe of *Segovia* proclaim'd the Duke of *Anjou* a ſecond time; and thoſe of *Toledo*, *Ciudad Real*, and of the Diſtrict of *Mancha* did the like; as did alſo thoſe of *Salamanca*, and the neighbouring Country; whereby our Communication with

with *Portugal* was cut off; theſe people believ- 5 ANNÆ, 1706.
ing, that the Confederates wou'd ſoon be oblig'd to retire by a ſuperior Force.

However, theſe being chiefly the effects of diſorderly Tumults rais'd by the Rabble, the moſt conſiderable among the *Spaniards* being ſatisfy'd that the reports of the King's death were falſe, and ſtill giving us aſſurances of their Loyalty to King *Charles*, we did not doubt but his Preſence would reſtore all. The news being brought that his Majeſty was come to *Saragoſſa*, and it being apprehended that the Ceremonies of his being proclaim'd and ſworn ſhould detain him too long, Quarter-maſter-General *Bourguet* was diſpatch'd to him with a ſtrong Party of Horſe to make a Repreſentation to his Majeſty of the preſent poſture of affairs, and to know certainly what meaſures he intended to take.

Our Generals receiving no anſwer, and being inform'd that the *French* Troops encreas'd about *Atienca*, that the people in our Neighbourhood began openly to manifeſt their Diſpoſitions for the Duke of *Anjou*, and that Riots and Diſorders happen'd daily in *Madrid* and *Toledo*, thought of ſecuring ſome poſt whereby they might preſerve their communication with *Portugal*, and where the King with his Troops might join us: *Toledo* was judg'd the moſt proper for that purpoſe; and it was reſolv'd that a ſtrong Detachment ſhould immediately be ſent thither (under pretence of puniſhing the Inhabitants for their Rebellion) to erect a Magazine and ſecure our heavy Baggage in that place; and that the remainder of the Army ſhould keep the Field to obſerve the Enemy, and ſhould retire to *Toledo* when there ſhould be occaſion. This Detachment, conſiſting of 2000 Foot, and 500 Horſe, under the command of the General of the Artil-

lery,

5 ANNÆ, 1706. lery, was ready to march the 25th of *July*, when Letters came from the King of *Spain*, with advice that he was leaving *Saragoſſa*, and would be at *Molina* the 28th; but that being oblig'd to paſs within thirteen Leagues of the Enemy, he deſir'd we would cover his march: That the Earl of *Peterborough* was to join him, and that the Troops were advancing towards us with all poſſible diligence. Upon theſe Letters the deſign of retiring to *Toledo* was laid aſide, and it was reſolv'd that we ſhould advance towards the Enemy, whoſe main Body then lay at *Xadraque*, in order to amuſe them in ſuch manner, that they might not ſend any Detachment to intercept the King. We accordingly march'd towards them; the Ground was ſo faſt that there was no poſſibility of coming to a general Engagement: We canonaded one another, and kept ſkirmiſhing during three days, when obſerving that the Enemy's Troops were continually augmenting, it was reſolv'd to return to the Poſt of *Guadalaxara*: Since the King muſt by this time have got paſt all danger, this Poſt was judg'd the moſt proper for favouring the march of the Troops that were to join us, and for avoiding a Battel, if we thought fit, till they came up.

On the 1ſt of *Auguſt* the Enemy following us, the two Armies were in ſight of each other. We encamp'd near the Town, with a River between us and the Enemy, as the beſt Station to ſecure our Junction, and give countenance to our friends at *Madrid*.

Upon news that all the Enemy's troops were join'd, and that they were marching towards us with a ſuperior force, the Duke of *Anjou*'s Party in *Madrid* appear'd barefac'd, and took up Arms againſt King *Charles*'s Friends, and the 5th a Detachment of the Enemy's Horſe enter'd into the place:

place: However, the Chief among the *Spaniards* were ſtill in ſuſpenſe, expecting our joining, and the iſſue of this whole matter. ANNÆ, 1706.

At length the King arriv'd in our Camp the 8th with his Troop of Guards, two Regiments of Horſe, and three Battalions; two of 'em *Dutch*, and the third *Italian*: The Lord *Raby*'s Regiment of Dragoons, part of *Pierce*'s, a *Spaniſh* and a *German* Battalion arriv'd five days after. Then a Council of War was held, and it was judg'd impracticable to attack the Enemy, conſidering they were advantageouſly poſted, and much ſuperior both in Horſe and Foot; for they out-number'd us by 25 Squadrons, and 13 Battalions, and their Squadrons were ſtronger and better in condition than ours.

The Earl of *Peterborough*, who came up with the King, return'd towards the Fleet; and we having continu'd thus ſeveral days within Canon ſhot of the Enemy, and our Forage and Proviſions being ſpent, it was reſolv'd to march to *Chinton* and *Colemenor* to maintain thoſe Poſts as long as we could, and improve all opportunities fortune would favour us withal. We arriv'd there in two days march, and notwithſtanding the Enemy did gain ſome ſmall advantages over our Parties and Convoys, we continu'd near a month in that Camp, and had plenty enough.

It was then thought convenient, before the rainy Seaſon came, to march towards the Frontiers of *Valentia*, and diſpoſe our Quarters in ſuch manner that as we might protect *Arragon*, *Valentia*, and *Catalonia*, ſecure an entrance into *Caſtile*, and preſerve our communication with the Sea Coaſt.

Tho' the Enemy boaſted that they would prevent us, and that the Inhabitants of almoſt the whole Kingdom of *Caſtile* had openly declar'd, and

5 ANNÆ. 1706. and were in Arms againſt us, yet, in ſpight of all oppoſition, we accompliſh'd our Deſign. We decamp'd from *Chinçon* the 15th, and paſſed the *Tagus* at *Fuenti Duennas* without any interruption from the Enemy, who croſſed the River four Leagues below that place. The 17th Lieutenant-General *Wyndham* join'd the Army at *Veles* with three *Engliſh* Battalions, and the Earl of *Peterborough*'s Regiment of Horſe, and brought us four days Proviſion of Bread and Biſket he had got together from the neighbouring Country. The Enemy march'd at ſome diſtance with their whole Army, having a good Body of Horſe always neareſt to obſerve us, but never thought fit to engage, or give us any diſturbance. Only the 25th the Duke of *Berwick* having drawn all his Forces together, and march'd all night, croſſed the *Xucar*, making ſhew as if he intended to have attack'd us in a large Plain, through which we were to paſs to get to the River *Xabriel*, and to our Proviſions which were laid up at *Requena*. He advanc'd with ſuch diligence, that his Vanguard appear'd in the Plain at the ſame time with us, but our Army march'd in ſo good order, and with ſo much Reſolution, that he had no proſpect of engaging us with any advantage; and ſome Squadrons of his Troops that offer'd to attack us, met with ſo warm a reception, that they were ſoon oblig'd to retire in great diſorder: However, he follow'd us as far as the little River *Imilta*, where our Army was form'd; and the Enemy had then a fair opportunity of coming to a deciſive Battel. But when they had well view'd the Countenance and Diſpoſitions of our Troops, they did not think fit to make any attempt, and we continu'd our march unmoleſted. Here this juſtice muſt be done to all our Forces, both Officers and private Men, and, together with

with the other Confederates, to the *Portugueſe*, that they have all along ſhewn great courage and readineſs to do whatever has been deſired of them; whereby we have ſupported our ſelves beyond, indeed, what could be expected in the Difficulties we lay under in this barren Country; which, it muſt be confeſſed, is, in a great meaſure, owing to the prudent conduct of the Marquiſs *das Minas*, and the Earl of *Galway*. We continu'd our march the ſame evening, and gain'd the Banks of the River *Xabriel*; and our whole Army is ſince come to the intended Quarters along the Frontiers of *Valentia* and *Murcia*. A Detachment of the King of *Spain*'s own Troops is ſent to *Arragon*, we have put Garriſons into *Cuenca*, *Requena*, and *Cofrentes*, whereby we have preſerv'd an Entrance into *Caſtile*, and our Troops are diſpos'd in ſuch manner that they will be able to protect thoſe Countries which have ſubmitted to King *Charles*. And if we are aſſiſted with good Reinforcements, or that ſome powerful Diverſion be made, whereby the Enemy may be oblig'd to weaken their Army by making Detachments, we have reaſon to hope for a happy and ſpeedy concluſion of the War on this ſide. 5 ANNÆ, 1706.

The Town of *Alicant* was taken by ſtorm by the Allies the 8th of *Auguſt*, and the Caſtle ſoon after ſurrender'd. On the other hand, *Cuenca* was retaken by the Duke of *Berwick* the 8th of *October*, and the Garriſon made Priſoners of War. *Carthagena* was alſo retaken by him the 18th of *November*; which had been taken by Sir *John Leake* the 13th of *June*: And *Alcantara* was ſurpriz'd and taken from the *Portugueſe* by the Marquis *de Bay*, with a force very little ſuperior to that of the Garriſon: And thus unhappily ended the Campaign in *Spain* which begun ſo glorioufly; Cuenca and Carthagena retaken by the Duke of Berwick.

5 ANNÆ. 1706. gloriouſly; which may be imputed to ſeveral Cauſes, but principally to the pride and ſloth of the *Germans* who were about King *Charles*. His Competitor and his Troops were fled into *France*, his Allies in poſſeſſion of *Madrid*, and the whole Kingdom making their ſubmiſſion; and theſe Gentlemen were diverting themſelves at *Saragoſſa* with a Bull-Feaſt till the *Spaniards* recover'd their Conſternation, and were ſo effectually reinforc'd, that King *Charles* was compell'd to retire before them, and leave his Friends to the mercy of their enrag'd Prince. Shall the Deſertion of *Catalans* be ever laid at the door of the *Engliſh*, who were but Auxiliaries in the War, when the whole Kingdom of *Spain* was thus ſacrific'd in a Frolick, by thoſe who were principally concern'd in point of Intereſt as well as Honour?

King of Portugal *dies.* In the beginning of *December* died *Don Pedro*, King of *Portugal*, in the 58th year of his age, and was ſucceeded by his eldeſt Son *Don Juan* the Fourth, who declar'd on his acceſſion, that he would punctually obſerve all his Father's Engagements with the Allies.

A Deſcent upon France *deſign'd, but not executed.* The Confederates had form'd a Deſign this year of making a Deſcent upon *France* by way of Diverſion; and accordingly the grand Fleet, under the command of Sir *Cloudſley Shovel*, ſail'd from *England* with 10000 Landmen on board about the middle of *Auguſt*; but being detain'd a conſiderable time by contrary Winds, that Deſign was laid aſide, and the Earl of *Rivers*, with the Land Forces on board, ſail'd for the River of *Liſbon*; where they arriv'd the 18th of *October*. The Earl of *Rivers* propos'd the joining a Body of the *Portugueſe* Troops, and marching directly for *Madrid*, but the *Portugueſe* being but ill provided for ſuch an Expedition, and the Earl inſiſting

The Earl of Rivers *ſails with the Land Forces to* Lisbon.

insisting that he wou'd not be commanded by any but the King, they did not think fit to come into those measures: Whereupon he sail'd for *Alicant*, and having landed the Troops there, he return'd to *England*, together with the Earl of *Essex* and Brigadier *Gorges*, who were embark'd with those Troops on the first Design. It must not be forgot that this year the Duke of *Marlborough* was invested in his Principality of *Mindelheim*, and receiv'd the Homage of his new Subjects. 5 Ann. Æ. 1706. *He sails with the Troops to* Alicant.

In *January* died that great General Prince *Lewis* of *Baden*, whose principal misfortune it was to command an Army that were never regularly paid or supply'd with Necessaries; which was the only reason he did not make that figure as some other Generals his Contemporaries did. *Prince* Lewis *of* Baden *dies.*

And now 'tis time to return to *England*: In the beginning of *October* the Queen and Prince went again to *New Market*; where Doctor *Fisher*, Vice-Chancellor of *Cambridge*, with the Heads of the Colleges, welcom'd them into the Country, and congratulated her Majesty upon the success of her Arms; and Crouds of people from all parts of the Country came to see her Majesty, and wish her a long Life and happy Reign; and, indeed, thus it was in whatever part of *England* she was pleased to appear amongst them. Nor was their sincerity, I believe, ever doubted; for she, as the Whigs in a multitude of their Addresses tell her, had apparently no other view than the happiness of her people, and they ever look'd upon her as their common Parent. She found no necessity of following the *Turkish* Maxim of immuring her self for fear of being assassinated, the affections of the people were her surest Guard, and she was never safer than when she was surrounded by them: And surely *The Queen goes to* New Market.

that

5 ANNÆ, 1706. that Crown must be a Crown of Thorns to that Prince who has reason to dread every Eye that sees him. About this time the Queen was pleas'd to create the Electoral Prince of *Hanover* a Peer of this Kingdom, by the Stile and Title of Baron of *Tewksbury*, Viscount *Northallerton*, Earl of *Milford Haven*, and Marquis and Duke of *Cambridge*.

The Electoral Prince of Hanover *created Duke of* Cambridge.

Queen's Speech to the Parliament.

On the 3d of *December* the Parliament met, and the Queen made a Speech to both Houses, wherein she tells them, She hop'd they were met with hearts truly thankful for the Successes of this Campaign, and desires the Commons to grant her such Supplies as might enable her to improve these advantages. She acquaints the Houses that the Treaty of Union was concluded by the Commissioners, and that it was now before the Parliament of *Scotland*. And concludes with recommending to them the dispatch of the publick business; whereby both their Friends and Enemies wou'd be convinc'd of the firmness and vigour of their proceedings.

Commons Address.

On the 5th the Commons attended her Majesty with an Address of thanks for her Speech, and congratulated her on the Success of the Duke of *Marlborough* at *Rammelies*; a Victory (they said) so glorious and great in its Consequences, and attended with such continued Successes, that no age cou'd equal. They said, no specious pretences of Peace shou'd divert them from enabling her to improve the advantages she had obtain'd; that the due Application of the publick Monies encourag'd them to give speedy and effectual Supplies, and return'd her Majesty their thanks for promoting the Union of the two Kingdoms.

Lords Address.

The Lords also attended her Majesty with an Address, congratulating the Success of her Arms, and

and expreſs their ſatisfaction in the Declaration her Majeſty and the States had made of hearkening to no offers of Peace, but in conjunction with all the Allies. They hop'd the Example of her Majeſty and the States wou'd induce the other Allies to redouble their efforts at this important Conjuncture; which was the true way of obtaining ſuch a Peace as might ſecure the Proteſtant Succeſſion, reſtore the whole *Spaniſh* Monarchy to King *Charles*, and fix a Barrier to the ſatisfaction of the States; in whoſe ſecurity the Intereſt of *England* was concern'd. They alſo make their moſt thankful acknowledgments of their univerſal happineſs under her Majeſty's juſt and mild Government, and deſire to expreſs their gratitude for her Majeſty's endeavours to accompliſh an entire and compleat Union between the two Kingdoms, and pray that ſhe may long reign over them, and ſee the effects of her gracious deſigns. 5 ANNÆ. 1706.

Each Houſe alſo return'd their thanks to the Duke of *Marlborough* for his ſervices to the Publick, and congratulated him on the Succeſs of this Campaign.

The Commons at their firſt ſitting down came to theſe Reſolutions as to their Privileges, 1. That no Peer has a right to give his vote in the Election of a Commoner. 2. That where the Houſe judge a Petition touching an Election to be frivolous and vexatious, they will order ſatisfaction to be made to the Perſon petition'd againſt. 3. Where a Perſon procures himſelf to be elected by bribery or corruption, they will proceed with the utmoſt ſeverity againſt him. 4. That where any Perſon ſhall tamper with the Witneſſes, or deter any from appearing as Witneſſes at a controverted Election, they are declar'd guilty of a Miſdemeanour, and ſhall be proſecuted with the *Reſolutions of the Commons as to their Privileges.*

5 ANNÆ, 1706.

utmoſt ſeverity. 5. That if any Perſon give falſe evidence to the Houſe, he ſhall be proſecuted with the utmoſt ſeverity. 6. That for any Peer or Lord Lieutenant of a County, to concern himſelf in the Election of a Member, is a high Infringement of the Liberties and Privileges of the Commons.

The Duke of Marborough's *Titles and Honours ſettled on his Poſterity by Act of Parliament.*

The Houſe of Peers addreſs'd her Majeſty for her allowance to bring in a Bill to ſettle and continue the Titles and Honours of the Duke of *Marlborough*, with his right of Precedence in his Poſterity by Act of Parliament, in ſuch manner as wou'd be moſt acceptable to her Majeſty: With which Addreſs the Queen was extremely pleaſed; and told them, She wou'd have his Titles and Honours limited to his eldeſt Daughter, and the Heirs Male of her Body, and then to all his other Daughters ſucceſſively, according to their Priority of Birth, and the Heirs Male of their reſpective Bodies; and ſhe thought it proper that the Honour and Manor of *Woodſtock*, and the Houſe of *Blenheim*, ſhould always go along with the Titles: And accordingly a Bill being brought in to that effect, it had a ſpeedy paſſage through both Houſes, and with the Land and Malt Tax Bills, on the 21ſt of *December*, receiv'd the Royal Aſſent.

Woodſtock *to go with them.*

Speaker's Speech on preſenting the Money Bills.

The Speaker of the Houſe of Commons on preſenting theſe Bills of Supply ſaid, That as the Duke of *Marlborough* had obtain'd the Victory at *Rammelies* before the Armies were ſuppos'd to have been in the Field; ſo the Commons had granted theſe Supplies to her Majeſty before her Enemies cou'd well know her Parliament was ſitting. After the paſſing of theſe Bills, the Queen made a Speech to both Houſes, wherein ſhe repreſented her ſatisfaction in their ſeveral Addreſſes, for the zeal they had expreſs'd in them for her ſervice,

Queen's Speech.

ſervice, and for the particular notice they had taken of the Duke of *Marlborough*'s Services. She thank'd the Commons for their more than uſual diſpatch in the Supply, which muſt, ſhe ſaid, have a good effect, in improving the advantages of the laſt Campaign; and concluded with reminding them of a Receſs during the Holidays. Accordingly each Houſe adjourn'd for about ten days. 5 ANNÆ, 1706.

The City of *London* having addreſs'd her Majeſty that the Colours and Standards taken at *Rammelies* might be put up in *Guild-Hall*, they were carried thither in great pomp by a Detachment of the Horſe and Foot Guards from *Whitehall* on the 19th of *December*; there being in all 63 Colours, and 24 Standards. The ſame day the Duke of *Marlborough*, with the Dukes of *Ormond* and *Somerſet*, and other great Officers and Miniſters, went to an Entertainment at *Vintner's-Hall* in the City, on an invitation from the Lord Mayor and Aldermen. *The Colours taken at* Rammelies *hung up in* Guild-Hall. *The Duke of* Marlborough *invited to dine with the City the ſame day.*

In the month of *December* the Queen was pleaſed to make the following Promotions, *viz.* *Henry*, Earl of *Kent*, Lord Chamberlain of her Houſhold, was created Viſcount *Gooderich*, in the County of *Hereford*, Earl of *Harrold* in the County of *Bedford*, and Marquis of *Kent*; *Robert*, Earl of *Lindſey*, Great Chamberlain of *England*, was created Marquis of *Lindſey* in the County of *Lincoln*; *Evelin*, Earl of *Kingſton*, Marquis of *Doncaſter*, in the County of *Dorſet*; *Thomas*, Lord *Wharton*, Viſcount *Winchindon*, in the County of *Bucks*, and Earl of *Wharton* in the County of *Weſtmorland*; *John*, Lord *Poulet*, of *Hinton St. George*, Viſcount *Hinton St. George*, in the County of *Somerſet*, and Earl *Poulet*; *Sidney*, Lord *Godolphin*, Lord Treaſurer, Viſcount *Rialton*, and Earl of *Godolphin*, in *Promotions among the Nobility.*

5 ANNÆ, 1706. the County of *Cornwall*; *Hugh*, Lord *Cholmondley*, Viſcount *Malpas*, and Earl of *Cholmondley*, in the County of *Cheſter*; *Henry*, Lord *Walden*, Son and Heir of the Earl of *Suffolk*, Baron of *Cheſterford*, in the County of *Eſſex*, and Earl of *Bindon* in the County of *Dorſet*; the Lord Keeper *Cowper* was created Lord *Cowper*, Baron of *Wingham*, in the County of *Kent*; and Sir *Thomas Pelham* was made Lord *Pelham*, and Baron of *Laughton* in the County of *Suſſex*.

The Queen and both Houſes go to St. Paul's. The Queen having appointed the 31ſt of *December* to be obſerv'd as a Thankſgiving for the Succeſſes of the Campaign, her Majeſty went to St. *Paul's* in great State, attended by the Great Officers, and by both Houſes of Parliament; where the Biſhop of *Saliſbury* preach'd before her Majeſty on this Text, Pſal. lxxii. ℣. 4. *He ſhall judge the poor of the people, he ſhall ſave the Children of the needy, and ſhall break in pieces the oppreſſor.*

5000l. per Ann. ſettled on the Duke of Marbro' *and his Poſterity by the Parliament to go with his Honours.* The Commons, not to be behind-hand with the Lords in expreſſing their gratitude to the Duke of *Marlborough*, addreſs'd her Majeſty, humbly deſiring, That as her Majeſty was pleaſed, at her own expence, to erect the Houſe of *Blenheim*, as a Monument of his Grace's glorious Actions, and the Peers had given riſe to a Law for continuing his Honours to his Poſterity, they might be permitted to expreſs the ſenſe of his diſtinguiſhing merit by making ſome proviſion for the more honourable ſupport of his Dignity, that the gratitude of the whole Kingdom might remain upon record to after ages.

The Queen ſoon after ſent them a meſſage, importing her deſire that the 5000*l. per Ann.* which ſhe had granted him during her life out of the Poſt-Office, might be ſettled upon him and his Poſterity in like manner as his Titles and the Honour

and

and Manor of *Woodſtock* and Houſe of *Blenheim* were already limited and ſettled; and a Bill was brought in accordingly. ANNÆ 1706.

The Queen came to the Houſe the 28th of *January*, and having paſs'd the Act for ſettling the Penſion of 5000 *l. per annum* on the Duke of *Marlborough* and his Poſterity, ſhe acquainted them that the Treaty of Union had been ratified by the Parliament of *Scotland* with ſome Alterations and Additions; and ſhe had directed the Treaty with the ſaid Act of Ratification to be laid before them: And that it being agreed, that *Scotland* ſhould have an Equivalent, for what that Kingdom wou'd be oblig'd to contribute towards the Debts of *England*; ſhe deſir'd the Commons, if they agreed to the Treaty, to provide for the Payment of it. She ſaid, they had now an Opportunity of putting the laſt Hand to a happy Union of the two Kingdoms, which ſhe hop'd would be a laſting Bleſſing to the whole Iſland, a great addition to its Wealth and Power, and a firm Security to the Proteſtant Religion; and ſhe ſhould look upon it as a particular happineſs, if it cou'd be brought to Perfection in her Reign. *The Articles of Union with the Ratification by the Scot's Parliament laid before the Houſe.*

The Articles of Union were ſoon after laid before both Houſes, with the *Scots* Act of Ratification, and a Copy of the Minute-Book of the proceedings of the Commiſſioners: And it was mov'd in the Houſe of Commons, to addreſs her Majeſty, that the Minutes of the proceedings of the Commiſſioners appointed to treat of an Union in the firſt year of her Reign, might be laid before them; but upon the Queſtion it paſs'd in the negative; and indeed in this whole proceeding nothing was attended to, that might create any interruption or delay how reaſonable ſoever.

5 ANNÆ, 1706.

Some Debates about the Union.

It was urg'd by ſome Gentlemen, that this Union being a thing of the higheſt Importance, requir'd the moſt deliberate conſideration; they ſaid, that the people without doors had been long ſince Tongue-tied by an Order of Council; but that ought to have no influence within thoſe Walls; every Gentleman ought freely to communicate his thoughts about it there. A certain Member ſaid, he was abſolutely againſt this incorporating Union, becauſe it was like marrying a woman againſt her conſent; that this Union had been carried on in *Scotland* by Corruption and Bribery within doors, and by Force and Violence without; that the Promoters thereof, in thus baſely giving up their independent Conſtitution, had actually betray'd the Truſt repos'd in them; and he appeal'd to the Judgment of the Houſe, whether men of ſuch Principles were fit to be admitted to ſit amongſt them; that among the many inconveniencies and irreconcileable contradictions this Union was liable to, there was this material one, that the Queen was oblig'd by Oath to maintain the Church of *England* as by Law eſtabliſh'd; and bound likewiſe to maintain and defend the Kirk of *Scotland*, in one and the ſame united Kingdom; that the Church of *England* look'd upon their Eſtabliſhment as *jure divino*, and the *Scots* pretended their Kirk was ſo too; and how two Nations, who claſh'd in ſo eſſential a point, cou'd unite, he could not ſee; and he thought it very proper to conſult the Convocation in this matter. It was anſwered by the other ſide, that they did not look either upon the one Church or the other to be *jure divino* any further, than that they were eſtabliſh'd by God Almighty's permiſſion; and ſo they might both be ſaid to be *jure divino:* As for conſulting the National Synod or Convocation in matters of

of Religion, this, they ſaid, any Gentleman might do for his private Satisfaction, but they thought it *derogatory to the Rights of the Commons of* England, to adviſe on this occaſion with an *inferior Aſſembly*, who had no ſhare in the Legiſlature. (Theſe Gentlemen did not remember, that this very Aſſembly was conſulted in the Act of Uniformity, and the Eſtabliſhment of the Liturgy; and that our Religion is not meerly a Parliamentary Inſtitution, as its greateſt Enemies ſuggeſt.) 5 ANNÆ. 1706.

The Friends of the Church finding the *Whigs* had a great Majority, and that all Arguments were loſt upon them, and that they were bent upon the Ratification of the Articles of Union forthwith, without any alteration in any of them, left the Houſe, and thus the Articles paſs'd that Houſe in almoſt as ſhort a time as they were in reading.

In the Houſe of Peers a Bill was brought in for Security of the Church of *England* to be inſerted in the Act of Ratification, as the Act for the Security of the Kirk of *Scotland* was to be on their part: When this Bill came down to the Commons, an Amendment was offer'd, *viz.* the reciting in it ſo much of the 13 *Car.* II. *For the well governing and regulating Corporations*, as was not repeal'd; and alſo ſo much of the 25 *Car.* II. *For preventing dangers which may happen from* Popiſh *Recuſants*, as is unrepeal'd; the *Scots* had recited the material parts of their Acts for the Eſtabliſhment of their Kirk; but this was too great a Favour to the Church of *England* to be comply'd with by that Houſe of Commons: It was propos'd alſo, that the Committee might receive a Clauſe, that the two Univerſities of this Kingdom might continue forever, as they were now by Law eſtabliſh'd; and another Clauſe, that the Subjects of this Kingdom ſhould be for-

5 ANNÆ, 1706. ever free of any Oath, Teſt, or Subſcription within this Kingdom, contrary to, or inconſiſtent with the true Proteſtant Religion, Worſhip, and Diſcipline of the Church of *England* as now by Law eſtabliſh'd: The Queſtion being put for inſerting theſe Clauſes, both paſs'd in the negative; notwithſtanding the *Scots* had ſecur'd their Church and Univerſities in the very ſame Words: Another Clauſe was propos'd in favour of the Convocation and Clergy, but this was laugh'd out of Doors, tho' the Privileges of the General Aſſembly of the *Scot*'s Kirk was expreſly ſtipulated for: And, in ſhort, nothing is more evident, than that the then prevailing Party were greater Friends to the Kirk, than to their own Eſtabliſhment; and I muſt ſay they were in the right, in puſhing on the Act of Ratification, which did every way ſo much augment and ſtrengthen their Intereſt; a dead Weight of 45 Members where the Balance was in Suſpenſe before, where this or that Side prevail'd, according as the Miniſtry was enclin'd; in that Caſe ſuch an Addition of Members muſt prove a Prejudice to the Church. 'Tis true, 45 can never out-vote 500, but where half the 500 are ready to join with the 45, it may in time work a conſiderable Alteration in the Conſtitution.

Cases for the further Security of the Church of England, *and of the Univerſities rejected.*

Lord Haverſham's *Speech on the Union.*

At the Debates in the Houſe of Peers concerning the Union, my Lord *Haverſham* made a Speech, (the Queen being preſent) wherein he obſerved, that theſe Articles came to their Lordſhips with the greateſt Countenance of Authority; and tho' Authority, he ſaid, was the ſtrongeſt motive to encline the Will, it was the weakeſt Argument in the world to convince the Underſtanding; that 'twas the Argument the Church of *Rome* made uſe of for their ſuperſtitious Worſhip, where there were ten *Ave Marias* to one *Pater Noſter*; which

which he thought juſt as unreaſonable, as if ten times the Application and Addreſs was made to a *She Favourite* as to the perſon of the Sovereign, which was a kind of State Idolatry: He ſaid, he was not againſt a federal Union, a Union in Intereſt, and in the Succeſſion. But this was a matter of a different nature, where two Nations, independent in their Sovereignties, that had diſtinct Laws and Intereſts, and what he could not forget, different Forms of Worſhip, Church Government and Order, ſhould be united into one Kingdom: A Union, (he ſaid) made up of ſo many miſmatch'd Pieces of ſuch jarring incongruous Ingredients, that, he fear'd, it would require a ſtanding Force to keep us from falling aſunder, and breaking in Pieces every Moment. 5 ANNÆ, 1706.

He ſaid, by this Act above 100 *Scots* Peers, and as many Commoners, were excluded the *Britiſh* Parliament; Gentlemen, who as little thought of being excluded a Year or two ago, as any of their Lordſhips did now; that their Rights too was as well and ſtrongly fenc'd and ſecur'd to them, as their Lordſhips preſent, by the fundamental Laws of their Kingdom, by the Claim of Right, and by Act of Parliament; whereby it was made Treaſon to make any alteration in the Conſtitution of that Kingdom.

That my Lords the Biſhops had once been voted out of the Houſe by the Temporal Lords; and who knew what Queſtion might ariſe hereafter: That for his Part, he wou'd venture his Life for the Church of *England*, tho' he own'd himſelf an occaſional Conformiſt: But if my Lords the Biſhops wou'd weaken their Cauſe ſo far, as to give up the two great Points of Epiſcopal Ordination and Confirmation; if they wou'd approve and ratify the Act, for ſecuring the Preſbyterian Church of *Scotland*, *as the true Proteſtant*

5 ANNÆ, 1706.

tant Religion and Purity of Worſhip, (ſee the Act of Ratification hereafter:) They gave up that which had been contended for between them and the Preſbyterians theſe 30 Years; and what had been defended by the greateſt and moſt learned Men in the Church of *England*; and he hop'd, their Lordſhips wou'd give ſome Light to one, who deſir'd Inſtruction, that he might not ignorantly do any thing to their Prejudice in this matter. (At this Committee Biſhop *Burnet* was in the Chair.)

He ſaid, the Act for ſecuring their Preſbyterian Church Government and General Aſſemblies of their Kirk, ſeem'd to him like thoſe little Clouds in a warm calm Summer's day, that are generally the Seeds and Attractives of approaching Tempeſts and Thunder; and that he ſaw no Neceſſity of this incorporating Union, ſince *Scotland* had offer'd to come into the Succeſſion without it; and he thought it a very dangerous Experiment to both Nations.

Several other Speeches were made againſt the Bill, the Effect whereof are contain'd in the following Proteſts.

The underwritten Peers proteſted againſt every one of the 25 Articles.

Proteſts made by ſeveral Peers againſt the Union.

1. Becauſe we humbly conceive the Sum of 48000 *l.* to be charg'd on the Kingdom of *Scotland*, as the Quota of *Scotland* for a Land-Tax, is not proportionable to the 4 Shillings Aid granted by the Parliament of *England*; but if, by reaſon of the preſent Circumſtances of the Kingdom, it might have been thought it was not able to bear a greater Proportion at this time; yet we cannot but think it unequal to this Kingdom, that it ſhould be agreed, that whenever the 4 Shillings Aid ſhall be exacted by the Parliament of *Great Britain* to be rais'd on Land in *England*, that

h at the 48000 *l.* now rais'd on *Scotland* ſhall never be increaſed in no time to come, tho' the Trade of that Kingdom ſhould be extremely improv'd; and conſequently the Value of their Land proportionably rais'd, which in all probability it muſt be, when this Union ſhall take Effect. 5 ANNÆ. 1706.

GRANVILE. ROCHESTER.
HAVERSHAM. HOWARD.
STAWEL. LEIGH.
NORTH and GREY. GUILDFORD.

To the 15th ARTICLE.

Becauſe we humbly conceive, nothing cou'd have been more equal on this head of the Treaty, than that neither of the Kingdoms ſhould have been burthen'd with the Debts of the other contracted before the Union; and if that Propoſal, which we find once made in the Minutes of the Treaty, had taken place, there wou'd have been no occaſion to have employ'd the Revenues of the Kingdom of *Scotland* towards the Payment of the Debts of *England*; thoſe Revenues might have been ſtrictly appropriated to the Debts of that Kingdom, and to any other Uſes within themſelves, as ſhould have been judged requiſite; and there wou'd have been no need of an Equivalent of near 400000 *l.* to be rais'd on *England* within this Year for the Purchaſe of thoſe Revenues in *Scotland*, which however it may prove but a reaſonable Bargain upon a ſtrict calculation, there does not ſeem to have been a Neceſſity juſt now to have rais'd ſo great a Sum, when this Kingdom is already burthen'd with ſuch vaſt ones for the neceſſary Charges of the War.

ROCHESTER. GUILDFORD.
NORTH and GREY. LEIGH.

To

5 ANNÆ, 1706.

To the 22d ARTICLE.

Becauſe we humbly conceive, in the firſt place, that the number of 16 Peers for *Scotland* is too great a Proportion to be added to the Peers of *England*, who very rarely conſiſt of more than 100 attending Lords in any one Seſſion of Parliament; and for that reaſon we humbly apprehend, ſuch a number as 16 may have a very great Sway in the Reſolutions of this Houſe, of which the Conſequence cannot now be foreſeen.

In the ſecond place, we conceive, the Lords of *Scotland*, who by virtue of this Treaty are to ſit in this Houſe, being not qualified as the Peers of *England* are, muſt ſuffer a diminution of their Dignity to ſit here on ſo different Foundations; their Right of ſitting here depending entirely on an Election, and that from time to time, during the continuance of one Parliament only; and the ſame time we are humbly of Opinion, that the Peers of *England*, who ſit here by Creation from the Crown, and have a Right of ſo doing in themſelves or their Heirs, by that Creation forever, may find it an Alteration in their Conſtitution to have Lords added to their number to ſit and vote in all Matters, brought before a Parliament, who have not the ſame Right to their Seats in Parliament as the Peers of *England* have.

BUCKINGHAM. ROCHESTER.
NORTH and GREY. GUILDFORD.
LEIGH.

We diſſent to the Reſolution of paſſing the laſt Article, becauſe there being no Enumeration of what Laws are to be repeal'd, it is conceiv'd too great a Latitude of Conſtruction is left to the Judges.

ABBINGDON. NORTH and GREY.
LEIGH. GUILDFORD.

The

The Lord *North* and *Grey* offer'd the following Rider to be added to the Bill, *viz.* 5 Anne, 1706.

Provided always, that nothing in this Ratification contained ſhall be confin'd to extend to an Approbation or Acknowledgment of the Truth of the Preſbyterian way of Worſhip, or allowing the Religion of the Church of *Scotland* to be what it is ſtil'd, *The true Proteſtant Religion:* But the Queſtion being put upon the ſecond Reading, it paſs'd in the negative, 55 againſt 19.

Beaufort.	Geo. Bath and Wells.
Buckingham.	Thanet.
North & Grey.	Granville.
Anglesea.	Stawell.
Winchelsea.	Guernsey.
Northampton.	Weymouth.
Abbingdon.	Guildford.
Nottingham.	Leigh.
Scarsdale.	

Then the Queſtion being put, whether the Bill ſhould paſs, and it being reſolv'd in the affirmative; the following Lords proteſted againſt it, (without Reaſons) *viz.*

Nottingham.	Northampton.
Anglesey.	Scarsdale.
Thanet.	Weymouth.
Winchelsea.	Guernsey.

Becauſe the Conſtitution of this Kingdom has been ſo very excellent, and therefore juſtly applauded by all our Neighbours for ſo many Ages, that we cannot conceive it prudent now to change it, and to venture at all thoſe Alterations made by this Bill, ſome of them eſpecially being of ſuch a Nature, that as the Inconvenience and Danger of them (in our humble Opinion) is already but

too

5 ANNÆ, 1706. too obvious, we think it more proper and decent to avoid entring further into the particular Apprehenſions we have from the paſſing this Law.

BEAUFORD. GUILDFORD.
BUCKINGHAM. GRANVILLE.
STAWELL. LEIGH.

The Bill having paſs'd both Houſes, receiv'd the Royal Aſſent the 4th of *March*, when her Majeſty made the following Speech upon the Occaſion.

My Lords and Gentlemen,

Queen's Speech. on paſſing the Act for ratifying the Union.

IT is with the greateſt ſatisfaction that I have given my Aſſent to a Bill for uniting *England* and *Scotland* into one Kingdom.

I conſider this Union as a matter of the greateſt importance to the wealth, ſtrength, and ſafety of the whole Iſland, and at the ſame time as a work of ſo much difficulty and nicety in its own nature, that, 'till now, all attempts which have been made towards it in the courſe of above a hundred years, have prov'd ineffectual; and therefore I make no doubt but it will be remembred and ſpoke of hereafter, to the honour of thoſe who have been inſtrumental in bringing it to ſuch a happy concluſion. I deſire and expect from all my Subjects of both Nations, that from henceforth they act with all poſſible reſpect and kindneſs to one another, that ſo it may appear to all the World they have hearts diſpos'd to become one people.

This will be a great pleaſure to me, and will make us all quickly ſenſible of the good effect of this Union.

And I cannot but look upon it as a peculiar happineſs, that, in my Reign, ſo full a proviſion is made for the peace and quiet of my people,

and

and for the ſecurity of our Religion, by ſo firm an Eſtabliſhment of the Proteſtant Succeſſion throughout *Great Britain*. 5 Annæ. 1706.

Gentlemen of the Houſe of Commons,

I take this occaſion to remind you of making effectual proviſion for the payment of the Equivalent to *Scotland*, within the time appointed by this Act; and I am perſuaded you will ſhew as much readineſs in this particular, as you have done in all the parts of this great Work.

My Lords and Gentlemen,

The ſeaſon of the year being now pretty far advanc'd, I hope you will continue the ſame zeal which has appear'd throughout this Seſſion, in diſpatching what yet remains unfiniſh'd of the publick buſineſs before you.

The 11th of *March* both Houſes attended her Majeſty with the following Addreſs.

WE your Majeſty's moſt dutiful Subjects, the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, return our moſt humble thanks to your Majeſty for your gracious Approbation of the ſhare we had in bringing the Treaty of an Union between your two Kingdoms of *England* and *Scotland* to a happy concluſion; a Work that (after ſo many fruitleſs endeavours) ſeems deſign'd by Providence, to add new luſtre to the Glories of your Majeſty's Reign. The Succeſs of your Arms having ſecur'd us from all attempts from abroad, and the care your Majeſty has taken of the firm Eſtabliſhment of the Proteſtant Succeſſion, having given a great and laſting ſecurity to our Religion, as in the Church of *England* by Law eſtabliſh'd, we beg leave humbly to aſſure your *Addreſs of both Houſes to the Queen thereupon.*

5 ANNÆ, 1706. Majeſty, that our endeavours ſhall never be wanting to ſupport your Government at home; and ſo to eſtabliſh the peace of this Iſland, that no diſpute may remain among us but how to acknowledge, in the moſt dutiful manner, the auſpicious conduct of ſo great and ſo renown'd a Queen.

To this Addreſs her Majeſty return'd the following anſwer.

My Lords and Gentlemen,

I Am glad to find your opinion ſo perfectly agrees with mine concerning this Union: You cannot do me a more acceptable ſervice than by uſing your utmoſt endeavours to improve all the good conſequences of it.

Moſt Gracious Sovereign,

The Act for ratifying the Union, in which are the Articles and the Acts for the ſecurity of Religion.

WHereas Articles of Union were agreed on the 22d day of *July*, in the Fifth year of your Majeſty's Reign, by the Commiſſioners nominated on behalf of the Kingdom of *England*, under your Majeſty's great Seal of *England*, bearing Date at *Weſtminſter* the 10th day of *April* then laſt paſt, in purſuance of an Act of Parliament made in *England* in the third year of your Majeſty's Reign; and the Commiſſioners nominated on the behalf of the Kingdom of *Scotland*, under your Majeſty's great Seal of *Scotland*, bearing date the 27th day of *February*, in the fourth year of your Majeſty's Reign, in purſuance of the fourth Act of the third Seſſion of the preſent Parliament of *Scotland*, to treat of and concerning an Union of the ſaid Kingdoms: And whereas an Act hath paſſed in the Parliament of *Scotland* at *Edinburgh* the 16th day of *January*, in the fifth year of your Majeſty's Reign;

Reign, wherein 'tis mentioned, That the E- 5 ANNÆ' ſtates of Parliament, conſidering the ſaid Articles 1706. of Union of the two Kingdoms, had agreed to, and approv'd of the ſaid Articles of Union, with ſome Additions and Explanations; and that your Majeſty, with advice and conſent of the Eſtates of Parliament for eſtabliſhing the Proteſtant Religion, and Preſbyterian Church-Government within the Kingdom of *Scotland*, had paſſed in the ſame Seſſion of Parliament, an Act entitled, *Act for ſecuring of the Proteſtant Religion, and Preſbyterian Church-Government*; which, by the tenor thereof, was appointed to be inſerted in any Act ratifying the Treaty, and expreſly declar'd to be a fundamental and eſſential Condition of the ſaid Treaty or Union, in all times coming, the tenor of which Articles, as ratified and approv'd of, with Additions and Explanations by the ſaid Act of Parliament of *Scotland*, follows:

That the two Kingdoms of *England* and *Scot-* Article 1. *land* ſhall, upon the firſt day of *May*, which ſhall be in the year one thouſand ſeven hundred and ſeven, and for ever after, be united into one Kingdom, by the name of *Great Britain*; and that the Enſigns Armorial of the ſaid united Kingdom be ſuch as her Majeſty ſhall appoint, and the Croſſes of St. *George* and St. *Andrew* be conjoyn'd in ſuch manner as her Majeſty ſhall think fit, and uſed in all Flags, Banners, Standards, and Enſigns both at Sea and Land.

That the Succeſſion to the Monarchy of the Article 2. united Kingdom of *Great Britain*, and of the Dominions thereto belonging, after her moſt ſacred Majeſty, and in default of Iſſue of her Majeſty, be, remain and continue to the moſt excellent Princeſs *Sophia*, Electreſs and Ducheſs

5 ANNÆ, 1706. Dowager of *Hanover*, and the Heirs of her Body, being Proteſtants; upon whom the Crown of *England* is ſetled by an Act of Parliament made in *England* in the twelfth Year of the Reign of his late Majeſty King *William* III. entitled, An Act for the farther Limitation of the Crown, and better ſecuring the Rights and Liberties of the Subject; and that all Papiſts, and Perſons marrying Papiſts, ſhall be excluded from, and for ever incapable to inherit, poſſeſs or enjoy the Imperial Crown of *Great Britain*, and the Dominions thereunto belonging, or any part thereof: And in every ſuch caſe the Crown and Government ſhall from time to time deſcend to, and be enjoyed by ſuch Perſon, being a Proteſtant, as ſhould have inherited and enjoyed the ſame, in caſe ſuch Papiſt, or Perſon marrying a Papiſt, was naturally dead; according to the Proviſion for the Deſcent of the Crown of *England*, made by another Act of Parliament in *England* in the firſt Year of the Reign of their late Majeſties King *William* and Queen *Mary*, entitled, An Act declaring the Rights and Liberties of the Subject, and ſetling the Succeſſion of the Crown.

Article 3. That the united Kingdom of *Great Britain* be repreſented by one and the ſame Parliament, to be ſtiled the Parliament of *Great Britain*.

Article 4. That all the Subjects of the united Kingdom of *Great Britain* ſhall from and after the Union have full freedom and intercourſe of Trade and Navigation, to and from any Port or Place within the ſaid united Kingdom, and the Dominions and Plantations thereunto belonging: And that there be a communication of all other Rights, Privileges, and Advantages which do or may belong to the Subjects of either Kingdom, except where it is otherwiſe expreſſly agreed in theſe Articles.

That

That all Ships or Veſſels belonging to her Majeſty's Subjects of *Scotland*, at the time of ratifying the Treaty of Union of the two Kingdoms in the Parliament of *Scotland*, tho' foreign built, be deemed and paſs as Ships of the built of *Great Britain*; the Owner, or where there are more Owners, one or more of the Owners, within twelve Months after the firſt of *May* next, making Oath, that at the time of ratifying the Treaty of Union in the Parliament of *Scotland*, the ſame did in whole or in part belong to him or them, or to ſome other Subject or Subjects of *Scotland*, to be particularly named, with the place of their reſpective abodes. And that the ſame doth then at the time of the ſaid Depoſition wholly belong to him or them, and that no Foreigner, directly or indirectly, hath any Share, Part, or Intereſt therein; which Oath ſhall be made before the chief Officer or Officers of the Cuſtoms in the Port next to the Abode of the ſaid Owner or Owners. And the ſaid Officer or Officers ſhall be impowered to adminiſter the ſaid Oath; and the Oath being ſo adminiſtred, ſhall be atteſted by the Officer or Officers who adminiſtred the ſame. And being regiſtred by the ſaid Officer or Officers, ſhall be delivered to the Maſter of the Ship for Security of her Navigation. And a Duplicate thereof ſhall be tranſmitted by the ſaid Officer or Officers to the chief Officer or Officers of the Cuſtoms in the Port of *Edinburgh*, to be there entred in a Regiſter; and from thence to be ſent to the Port of *London*, to be there entred in the General Regiſter of all trading Ships belonging to *Great Britain*. 5 ANNÆ, 1706. Article 5.

That all parts of the united Kingdom for ever, from and after the Union, ſhall have the ſame Allowances, Encouragements, and Drawbacks, Article 6.

5 ANNÆ, 1706. and be under the ſame Prohibitions, Reſtrictions, and Regulations of Trade, and liable to the ſame Cuſtoms and Duties on Import and Export: And that the Allowances, Encouragements, and Drawbacks, Prohibitions, Reſtrictions, and Regulations of Trade, and the Cuſtoms and Duties on Import and Export, ſettled in *England* when the Union commences, ſhall from and after the Union take place throughout the whole united Kingdom; excepting and reſerving the Duties upon Export and Import of ſuch particular Commodities, from which any Perſons, the Subjects of either Kingdom are ſpecial liberated and exempted by their private Rights; which, after the Union, are to remain ſafe and entire to them in all reſpects, as before the ſame. And, that from and after the Union, no *Scots* Cattel carried into *England*, ſhall be liable to any other Duties either on the publick or private Accompts, than thoſe Duties to which the Cattel of *England* are or ſhall be liable within the ſaid Kingdom. And ſeeing, by the Law of *England*, there are Rewards granted upon the Exportation of certain kinds of Grain, wherein Oats grinded or ungrinded are not expreſſed, that from and after the Union, when Oats ſhall be ſold at fifteen ſhillings ſterling *per* Quarter, or under, there ſhall be paid two ſhillings and ſix pence ſterling for every Quarter of the Oatmeal exported in the terms of the Law; whereby, and ſo long as Rewards are granted for Exportation of other Grains, and that the Beer of *Scotland* have the ſame Rewards as Barley, and, in reſpect, the Importations of Victuals into *Scotland* from any place beyond Sea, would prove a diſcouragement to Tillage, therefore, that the prohibition, as now in force by the Law of *Scotland*, againſt Importation of Victuals from *Ireland*, or any other

other place beyond Sea into *Scotland*, do, after the Union, remain in the ſame force as now it is, until more proper and effectual ways be provided by the Parliament of *Great Britain* for diſcouraging the Importation of the ſaid Victuals from beyond Sea. 5 ANNÆ, 1706.

That all parts of the united Kingdom be for ever, from and after the Union, liable to the ſame Exciſes upon all exciſeable Liquors, excepting only that the thirty four Gallons, *Engliſh* Barrel of Beer or Ale, amounting to twelve Gallons *Scots*, preſent meaſure, ſold in *Scotland* by the Brewer at nine ſhillings ſix pence ſterling, excluding all Duties and Retailed, including Duties and the Retailer's profit, at two pence the *Scots* Pint, or eighth part of the *Scots* Gallon, be not after the Union liable, on Accompt of the preſent Exciſe upon exciſeable Liquors in *England*, to any higher Impoſition than two ſhillings ſterling upon the foreſaid thirty four Gallons, *Engliſh* Barrel, being twelve Gallons the preſent *Scots* meaſure. And that the Exciſe ſettled in *England* on all other Liquors, when the Union commences, take place throughout the whole united Kingdom. Article 7.

That from and after the Union, all foreign Salt which ſhall be imported into *Scotland*, ſhall be charg'd at the Importation there, with the ſame Duties as the like Salt is now charg'd with, being imported into *England*, and to be levied and ſecured in the ſame manner. But in regard the Duties of great quantities of foreign Salt imported, may be very heavy upon the Merchants Importers, that therefore all foreign Salt imported into *Scotland*, ſhall be cellar'd and lock'd up under the cuſtody of the Merchants Importers, and the Officers employ'd for levying the Duties upon Salt, and that the Merchant may have Article 8.

5 ANNÆ, 1706. what quantity thereof his occaſion may require, not under a Wey, or forty Buſhels at a time, giving ſecurity for the Duty of what quantity he receives, payable in ſix Months. But *Scotland* ſhall for the ſpace of ſeven years, from the ſaid Union, be exempted from paying in *Scotland* for Salt made there, the Duty or Exciſe now payable for Salt made in *England*; but from the expiration of the ſaid ſeven years, ſhall be ſubject and liable to the ſame Duties for Salt made in *Scotland*, as ſhall be then payable for Salt made in *England*, to be levied and ſecured in the ſame manner, and with proportionable Drawbacks and Allowances as in *England*, with this exception, That *Scotland* ſhall, after the ſaid ſeven years, remain exempted from the Duty of two ſhillings four pence a Buſhel on home Salt, impos'd by an Act made in *England* in the ninth and tenth of King *William* the Third of *England*. And if the Parliament of *Great Britain* ſhall, at or before the expiring of the ſaid ſeven years, ſubſtitute any other Fund in place of the ſaid two ſhillings four pence of Exciſe on the Buſhel of home Salt, *Scotland* ſhall, after the ſaid ſeven years, bear a proportion of the ſaid Fund, and have an Equivalent in the terms of this Treaty. And that during the ſaid ſeven years, there ſhall be paid in *England* for all Salt made in *Scotland*, and imported from thence into *England*, the ſame Duties upon the Importation, as ſhall be payable for Salt made in *England*, to be levied and ſecured in the ſame manner as the Duties on foreign Salt are to be levied and ſecured in *England*: And that after the ſaid ſeven years, as long as the ſaid Duty of two ſhillings four pence a Buſhel upon Salt is continued in *England*, the ſaid two ſhillings and four pence a Buſhel ſhall be payable for all Salt made in *Scotland*, and imported

ported into *England*, to be levied and ſecured in the ſame manner; and that during the continuance of the Duty of two ſhillings four pence a Buſhel upon Salt made in *England*, no Salt whatſoever be brought from *Scotland* to *England* by Land in any manner, under the penalty of forfeiting the Salt and the Cattel and Carriages made uſe of in bringing the ſame, and paying twenty ſhillings for every Buſhel of ſuch Salt, and proportionably for a greater or leſſer quantity; for which the Carrier, as well as the Owner, ſhall be liable jointly and ſeverally, and the Perſons bringing or carrying the ſame, to be impriſon'd by any one Juſtice of the Peace for the ſpace of ſix months without bail, and until the penalty be paid. And for eſtabliſhing an equality in Trade, that all Fleſh exported from *Scotland* to *England*, and put on board in *Scotland*, to be exported to parts beyond the Seas, and Proviſions for Ships in *Scotland*, and for foreign Voyages, may be ſalted with *Scots* Salt, paying the ſame Duty for what Salt is ſo employ'd, as the like quantity of ſuch Salt pays in *England*, and under the ſame Penalties, Forfeitures, and Proviſions for preventing of Frauds, as are mentioned in the Laws of *England*; and that from and after the Union, the Laws and Acts of Parliament in *Scotland* for pining, curing, and packing of Herrings, White-fiſh and Salmon, for Exportation with foreign Salt only, without any mixture of *Britiſh* or *Iriſh* Salt, and for preventing of Frauds in curing and packing of Fiſh, be continu'd in force in *Scotland*, ſubject to ſuch alterations as ſhall be made by the Parliament of *Great Britain*. And that all Fiſh exported from *Scotland* to parts beyond the Seas, which ſhall be cured with foreign Salt only, and without mixture of *Britiſh* or *Iriſh* Salt, ſhall have the

5 ANNÆ, 1706.

5 ANNÆ, 1706. same Eaſes, Præmiums, and Drawbacks, as are or ſhall be allow'd to ſuch Perſons as export the like Fiſh from *England*. And that for encouragement of the Herring-fiſhing, there ſhall be allow'd and paid to the Subjects, Inhabitants of *Great Britain*, during the preſent allowances for other Fiſh, ten ſhillings five pence ſterling for every Barrel of white Herrings which ſhall be exported from *Scotland*; and that there ſhall be allow'd five ſhillings ſterling for every Barrel of Beef or Pork ſalted with foreign Salt, without mixture of *Britiſh* or *Iriſh* Salt, and exported for ſale from *Scotland* to parts beyond Sea, alterable by the Parliament of *Great Britain*. And if any matters of Fraud relating to the ſaid Duties on Salt ſhall hereafter appear, which are not ſufficiently provided againſt by this Article, the ſame ſhall be ſubject to ſuch farther Proviſions as ſhall be thought fit by the Parliament of *Great Britain*.

Article 9. That whenever the ſum of one million, nine hundred ninety ſeven thouſand, ſeven hundred and ſixty three pounds, eight ſhillings and four pence halfpenny, ſhall be enacted by the Parliament of *Great Britain*, to be rais'd in that part of the united Kingdom now call'd *England*, on Land, and other things uſually charg'd in Acts of Parliament there, for granting an aid to the Crown by a Land Tax, that part of the united Kingdom now call'd *Scotland*, ſhall be charged with the ſame Act, with a farther ſum of forty eight thouſand pounds, free of all charges, as the Quota of *Scotland* to ſuch Tax, and ſo proportionably for any greater or leſſer ſum raiſed in *England* by any Tax on Land, and other things uſually charged together with the Land. And that ſuch Quota for *Scotland*, in the caſes aforeſaid, be raiſed and collected in the ſame manner

as

as the Ceſs now is in *Scotland*, but ſubject to ſuch Regulations in the manner of collecting, as ſhall be made by the Parliament of *Great Britain*. 5 ANNÆ, 1706.

That during the continuance of the reſpective Duties on ſtampt Paper, Vellum, and Parchment, by the ſeveral Acts now in force in *England*, *Scotland* ſhall not be charg'd with the ſame reſpective Duties. Article 10.

That during the continuance of the Duties, payable in *England* on Windows and Lights, which determine on the firſt day of *Auguſt* one thouſand ſeven hundred and ten, *Scotland* ſhall not be charg'd with the ſame Duties. Article 11.

That during the continuance of the Duties payable in *England* on Coals, Culm, and Cynders, which determine the 13th day of *September*, one thouſand ſeven hundred and ten, *Scotland* ſhall not be charged there with Coals, Culm, and Cynders conſumed there, but ſhall be charged with the ſame Duties as in *England*, for all Coals, Culm, and Cynders not conſumed in *Scotland*. Article 12.

That during the continuance of the Duty payable in *England* upon Malt, which determines the twenty fourth day of *June* one thouſand ſeven hundred and ſeven, *Scotland* ſhall not be charg'd with that Duty. Article 13.

That the Kingdom of *Scotland* be not charg'd with any other Duties laid on by the Parliament of *England* before the Union, except theſe conſented to in this Treaty; in regard it is agreed, That all neceſſary proviſion ſhall be made by the Parliament of *Scotland* for the publick charge and ſervice of that Kingdom for the year one thouſand ſeven hundred and ſeven; provided nevertheleſs, that if the Parliament of *England* ſhall think fit to lay any farther Impoſitions by way of Cuſtoms, or ſuch Exciſes, with which, by virtue of this Treaty, *Scotland* is to be charg'd Article 14.

equally

5 ANNÆ, 1706. equally with *England*, in ſuch caſe, *Scotland* ſhall be liable to the ſame Cuſtoms and Exciſes, and have an Equivalent to be ſettled by the Parliament of *Great Britain*, with this farther proviſion, That any Malt to be made and conſumed in that part of the united Kingdom now called *Scotland*, ſhall not be charg'd with any Impoſition on Malt during this preſent War. And ſeeing it cannot be ſuppos'd that the Parliament of *Great Britain* will ever lay any ſort of Burthens upon the united Kingdom, but what they ſhall find of neceſſity at that time for the preſervation and good of the whole, and with due regard to the Circumſtances and Abilities of every part of the united Kingdom: Therefore it is agreed, that there be no farther Exemption inſiſted upon for any part of the united Kingdom, but that the conſideration of any Exemptions, beyond what are already agreed on in this Treaty, ſhall be left to the determination of the Parliament of *Great Britain*.

Article 15. That whereas by the terms of this Treaty, the Subjects of *Scotland*, for preſerving an equality of Trade throughout the united Kingdom, will be liable to ſeveral Cuſtoms and Exciſes now payable in *England*, which will be applicable towards payment of the Debts of *England*, contracted before the Union. It is agreed that *Scotland* ſhall have an Equivalent for what the Subjects thereof ſhall be ſo charged towards payment of the ſaid Debts of *England*, in all particulars whatſoever in manner following, *viz.* That before the Union of the ſaid Kingdoms, the ſum of three hundred ninety eight thouſand, and eighty five pounds, ten ſhillings, be granted to her Majeſty by the Parliament of *England*, for the uſes after mentioned, being the Equivalent to be anſwer'd to *Scotland* for ſuch parts of the

ſaid

ſaid Cuſtoms and Exciſes upon all exciſeable Liquors, with which that Kingdom is to be charg'd upon the Union, as will be applicable to the payment of the ſaid Debts of *England*, according to the proportions, which the preſent Cuſtoms in *Scotland*, being thirty thouſand pounds *per Annum*, do bear to the Cuſtoms in *England*, computed at one million, three hundred forty one thouſand five hundred and fifty nine pounds *per Annum*; and which the preſent Exciſes on exciſeable Liquors in *Scotland*, being thirty three thouſand, and five hundred pounds *per Annum*, do bear to the Exciſes on exciſeable Liquors in *England*, computed at nine hundred forty ſeven thouſand, ſix hundred and two pounds *per Annum*; which ſum of three hundred ninety eight thouſand, eighty five pounds, ten ſhillings, ſhall be due and payable from the time of the Union: And in regard that after the Union, *Scotland* becoming liable to the ſame Cuſtoms and Duties, payable on Import and Export, and to the ſame Exciſes on all exciſeable Liquors as in *England*, as well upon that Account as upon the Account of the increaſe of Trade and People (which will be the happy conſequence of the Union) the ſaid Revenues will much improve beyond the before-mentioned annual Values thereof; of which no preſent Eſtimate can be made. Yet nevertheleſs, for the reaſons aforeſaid, there ought to be a proportionable Equivalent anſwer'd to *Scotland*: It is agreed, that after the Union, there ſhall be an Account kept of the ſaid Duties ariſing in *Scotland*, to the end, it may appear what ought to be anſwered to *Scotland* as an Equivalent for ſuch proportion of the ſaid Encreaſe, as ſhall be applicable to the payment of the Debts of *England*. And for the farther and more effectual anſwering the ſeveral Ends here-

5 ANNÆ. 1706. hereafter mentioned. It is agreed, that from and after the Union, the whole encreaſe of the Revenues of Cuſtoms, and Duties on Import and Export, and Exciſes upon exciſeable Liquors in *Scotland*, over and above the annual produce of the ſaid reſpective Duties as above ſtated, ſhall go and be applied for the term of ſeven years to the uſes hereafter mentioned; and that upon the ſaid Account, there ſhall be anſwered to *Scotland* annually from the end of ſeven years after the Union, an Equivalent in proportion to ſuch part of the ſaid Encreaſe as ſhall be applicable to the Debts of *England*. And generally, that an Equivalent ſhall be anſwered to *Scotland* for ſuch parts of the *Engliſh* Debts as *Scotland* may hereafter become liable to pay by reaſon of the Union; other than ſuch for which Appropriations have been made by Parliament in *England*, of the Cuſtoms or other Duties on Export and Import, Exciſes on all exciſeable Liquors, in reſpect of which Debts, Equivalents are herein before provided. And as for the uſes to which the ſaid ſum of three hundred ninety eight thouſand, eighty five pounds, ten ſhillings to be granted as aforeſaid, and all other Monies which are to be anſwered or allow'd to *Scotland* as aforeſaid, are to be applied: It is agreed, That in the firſt place, out of the aforeſaid ſum, what conſideration ſhall be found neceſſary to be had for any loſſes which private perſons may ſuſtain by reducing the Coin of *Scotland* to the Standard and Value of the Coin of *England*, may be made good. In the next place, That the capital Stock or Fund of the *African* and *Indian* Company of *Scotland* advanc'd, together with the Intereſt for the ſaid capital Stock, after the rate of five *per Centum per Annum*, from the reſpective times of the payment thereof ſhall be paid; upon payment of

which

which capital Stock and Intereſt, it is agreed the ſaid Company be diſſolv'd and ceaſe: And alſo, that from the time of paſſing the Act of Parliament in *England* for raiſing the ſaid ſum of three hundred ninety eight thouſand, eighty five pounds, ten ſhillings, the ſaid Company ſhall neither trade, nor grant Licenſes to trade; providing that if the ſaid Stock and Intereſt ſhall not be paid in twelve months after the commencement of the Union, that then the ſaid Company may from thenceforward trade or give Licenſe to trade until the ſaid whole capital Stock and Intereſt ſhall be paid. And as to the overplus of the ſaid ſum of three hundred ninety eight thouſand, and eighty five pounds, ten ſhillings, after payment of what conſideration ſhall be had for loſſes in repairing the Coin, and paying the ſaid capital Stock and Intereſt, and alſo the whole increaſe of the ſaid Revenues of Cuſtoms, Duties and Exciſes above the preſent value which ſhall ariſe in *Scotland* during the ſaid term of ſeven years, together with the Equivalent, which ſhall become due upon the improvement thereof in *Scotland*, after the ſaid term: And alſo as to all other ſums, which, according to the agreements aforeſaid, may become payable to *Scotland* by way of Equivalent for what that Kingdom ſhall hereafter become liable towards payment of the Debts of *England*: It is agreed, That the ſame be apply'd in manner following, *viz.* That all the publick Debts of the Kingdom of *Scotland*, as ſhall be adjuſted by this preſent Parliament, ſhall be paid; and that two thouſand Pounds *per Annum* for the ſpace of ſeven years, ſhall be applied towards the encouraging and promoting the Manufacture of courſe Wooll within thoſe Shires which produce the Wooll; and that the firſt two thouſand pounds

5 ANNÆ, 1706.

5 ANNÆ. 1706. pounds *Sterling* be paid at *Martinmas* next, and ſo yearly at *Martinmas* during the ſpace aforeſaid: And afterwards the ſame ſhall be wholly applied towards the encouraging and promoting the Fiſheries, and ſuch other Manufactures and Improvements in *Scotland* as may moſt conduce to the general good of the united Kingdom. And it is agreed, that her Majeſty be impower'd to appoint Commiſſioners who ſhall be accomptable to the Parliament of *Great Britain*, for diſpoſing the ſaid Sum of three hundred ninety eight thouſand and eighty five pounds, ten ſhillings, and all other Monies which ſhall ariſe to *Scotland* upon the Agreements aforeſaid to the purpoſes before mentioned, which Commiſſioners ſhall be impower'd to call for, receive and diſpoſe of the ſaid Monies in manner aforeſaid, and to inſpect the Books of the ſeveral Collectors of the ſaid Revenues, and of all other Duties, from whence an Equivalent may ariſe: And that the Collectors and Managers of the ſaid Revenues and Duties be oblig'd to give to the ſaid Commiſſioners ſubſcribed authentick Abbreviates of the Produce of ſuch Revenues and Duties ariſing in their reſpective Diſtricts: And that the ſaid Commiſſioners ſhall have their Office within the Limits of *Scotland*, and ſhall in ſuch Office keep Books containing Accounts of the Amount of the Equivalents, and how the ſame ſhall have been diſpoſed of from time to time, which may be inſpected by any of the Subjects who ſhall deſire the ſame.

Article 16. That from and after the Union the Coin ſhall be of the ſame Standard and Value throughout the united Kingdom as now in *England*, and a Mint ſhall be continued in *Scotland* under the ſame Rules as the Mint in *England*; and the preſent Officers of the Mint continued ſubject to

ſuch

ſuch Regulations and Alterations, as her Majeſty, her Heirs or Succeſſors, or the Parliament of *Great Britain* ſhall think fit. 5 Annæ, 1706.

That from and after the Union, the ſame Weights and Meaſures ſhall be uſed throughout the united Kingdom as are now eſtabliſhed in *England*; and Standards of Weights and Meaſures ſhall be kept by thoſe Burghs in *Scotland*, to whom the keeping the Standards of Weights and Meaſures now in uſe, there does of ſpecial Right belong: All which Standards ſhall be ſent down to ſuch reſpective Burghs from the Standards kept in the Exchequer at *Weſtminſter*, ſubject nevertheleſs to ſuch Regulations as the Parliament of *Great Britain* ſhall think fit. Article 17.

That the Laws concerning the Regulation of Trade, Cuſtoms and ſuch Exciſes, to which *Scotland* is by vertue of this Treaty to be liable, be the ſame in *Scotland* from and after the Union as in *England*: And that all other Laws in uſe within the Kingdom of *Scotland*, do after the Union, and notwithſtanding thereof, remain in the ſame Force as before; except ſuch as are contrary to, or inconſiſtent with this Treaty, but alterable by the Parliament of *Great Britain*, with this Difference betwixt the Laws concerning publick Right, Policy and Civil Government, and thoſe which concern private Right: That the Laws, which concern publick Right, Policy and Civil Government may be made the ſame throughout the whole united Kingdom: But that no Alteration be made in Laws, which concern private Right, except for evident Utility of the Subjects within *Scotland*. Article 18.

That the Court of Seſſion, or College of Juſtice, do, after the Union, and, notwithſtanding thereof, remain in all time coming within *Scotland*, as it is now conſtituted by the Laws of that King- Article 19.

5 ANNÆ, 1706. Kingdom, and with the ſame Authority and Privileges, as before the Union; ſubject nevertheleſs to ſuch Regulations, for the better Adminiſtration of Juſtice, as ſhall be made by the Parliament of *Great Britain*: And that hereafter none ſhall be named by her Majeſty, or her Royal Succeſſors, to be ordinary Lords of Seſſion, but ſuch who have ſerved in the College of Juſtice, as Advocates or principal Clerks of Seſſion for the ſpace of five Years, or as Writers to the Signet for the ſpace of ten Years; with this Proviſion, That no Writer to the Signet be capable to be admitted a Lord of the Seſſion, unleſs he undergo a private and publick Trial on the Civil Law before the Faculty of Advocates, and be found by them qualified for the ſaid Office two Years before he be nam'd to be a Lord of the Seſſion: Yet ſo as the Qualifications made or to be made for capacitating perſons to be named ordinary Lords of Seſſion may be altered by the Parliament of *Great Britain*: And that the Court of Juſticiary do alſo after the Union, and notwithſtanding thereof, remain in all time coming within *Scotland* as it is now conſtituted by the Laws of that Kingdom, and with the ſame Authority and Privileges as before the Union; ſubject nevertheleſs to ſuch Regulations as ſhall be made by the Parliament of *Great Britain*, and without Prejudice of other Rights of Juſticiary. And that all Admiralty Juriſdictions be under the Lord High Admiral, or Commiſſioners for the Admiralty of *Great Britain* for the time being: And that the Court of Admiralty now eſtabliſh'd in *Scotland* be continued; and that all Reviews, Reductions or Suſpenſions of the Sentences in Maritim Caſes competent to the Juriſdiction of that Court, remain in the ſame manner after the Union as now in *Scotland*; until the Parliament of

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Great Britain ſhall make ſuch Regulations and Alterations as ſhall be judged expedient for the whole united Kingdom; ſo as there be always continued in *Scotland* a Court of Admiralty, ſuch as in *England*, for Determination of all maritim Caſes relating to private Rights in *Scotland*, competent to the Juriſdiction of the Admiralty Court; ſubject nevertheleſs to ſuch Regulations and Alterations as ſhall be thought proper to be made by the Parliament of *Great Britain*: And that the heretable Rights of Admiralty and Vice-Admiralties in *Scotland* be reſerved to the reſpective Proprietors as Rights of Property; ſubject nevertheleſs, as to the manner of exerciſing ſuch heretable Rights, to ſuch Regulations and Alterations as ſhall be thought proper to be made by the Parliament of *Great Britain*: And that all other Courts now in being within the Kingdom of *Scotland* do remain, but ſubject to Alterations by the Parliament of *Great Britain*; and that all inferior Courts within the ſaid Limits do remain ſubordinate, as they are now to the ſupreme Courts of Juſtice within the ſame, in all time coming. And that no Cauſes in *Scotland* be cognoſcible by the Courts of Chancery, Queen's Bench, Common Pleas, or any other Court in *Weſtminſter* Hall: And that the ſaid Courts, or any other of the like nature after the Union, ſhall have no Power to cognoſce, review, or alter the Acts or Sentences of the Judicatures within *Scotland*, or ſtop the Execution of the ſame. And that there be a Court of Exchequer in *Scotland* after the Union, for deciding Queſtions concerning the Revenues of Cuſtoms and Exciſes, there having the ſame Power and Authority in ſuch Caſes, as the Court of Exchequer has in *England*; and that the ſaid Court of Exchequer in *Scotland* have Power of paſſing Signatures, Gifts, Tutories,

5 ANNÆ. 1706.

5 ANNÆ, 1706. Tutories, and in other things, as the Court of Exchequer at preſent in *Scotland* hath; and that the Court of Exchequer, that now is in *Scotland*, do remain, until a new Court of Exchequer be ſettled by the Parliament of *Great Britain* in *Scotland* after the Union. And, that after the Union, the Queen's Majeſty and her Royal Succeſſors may continue a Privy Council in *Scotland*, for preſerving a publick Peace and Order, until the Parliament of *Great Britain* ſhall think fit to alter it, or eſtabliſh any other effectual Method for that End.

Article 20. That all heretable Offices, Superiorities, heretable Juriſdictions, Offices for Life, and Juriſdictions for Life, be reſerv'd to the Owners thereof, as Rights of Property, in the ſame manner as they are now enjoyed by the Laws of *Scotland*, notwithſtanding this Treaty.

Article 21. That the Rights and Privileges of the Royal Burghs in *Scotland*, as they now are, do remain entire after the Union, and notwithſtanding thereof.

Article 22. That by virtue of this Treaty of the Peers of *Scotland*, at the time of the Union, ſixteen ſhall be the Number to ſit and vote in the Houſe of Lords, and forty five the Number of the Repreſentatives of *Scotland* in the Houſe of Commons of the Parliament of *Great Britain*: And that when her Majeſty, her Heirs or Succeſſors ſhall declare her or their Pleaſure, for holding the firſt or any ſubſequent Parliament of *Great Britain*, until the Parliament of *Great Britain* ſhall make further Proviſion therein, a Writ do iſſue under the Great Seal of the united Kingdom directed to the Privy Council of *Scotland*, commanding them to cauſe ſixteen Peers, who are to ſit in the Houſe of Lords, to be ſummon'd to Parliament; and forty five Members to be elect-

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ed to ſit in the Houſe of Commons of the Par- 5 ANNÆ, liament of *Great Britain*, according to the Agree- 1706. ment in this Treaty, in ſuch manner, as by an Act of this preſent Seſſion of the Parliament of *Scotland* is or ſhall be ſettled; which Act is hereby declar'd to be as valid as if it were a part of, and engroſs'd in this Treaty. And that the Names of the Perſons ſo ſummon'd and elect'd ſhall be return'd by the Privy Council of *Scotland*, into the Court from whence the ſaid Writ did iſſue. And that if her Majeſty on or before the firſt Day of *May* next, on which Day the Union is to take place, ſhall declare under the Great Seal of *England*, that it is expedient, that the Lords of Parliament of *England*, and Commons of the preſent Parliament of *England*, ſhould be the Members of the reſpective Houſes of the firſt Parliament of *Great Britain* for and on the part of *England*; then the ſaid Lords of Parliament of *England*, and Commons of the preſent Parliament of *England* ſhall be the Members of the reſpective Houſes of the firſt Parliament of *Great Britain* for and on the part of *England*: And her Majeſty may by her Royal Proclamation under the Great Seal of *Great Britain*, appoint the ſaid firſt Parliament of *Great Britain*, to meet at ſuch time and place as her Majeſty ſhall think fit; which time ſhall not be leſs than fifty Days after the Date of ſuch Proclamation; and the time and place of the Meeting of ſuch Parliament being ſo appointed, a Writ ſhall be immediately iſſued under the Great Seal of *Great Britain*, directed to the Privy Council of *Scotland* for the ſummoning the ſixteen Peers, and for electing forty five Members, by whom *Scotland* is to be repreſented in the Parliament of *Great Britain*: And the Lords of Parliament of *England*, and the ſixteen Peers of *Scotland*, ſuch ſixteen Peers being ſummoned and returned in the

5 ANNÆ, 1706. manner agreed in this Treaty; and the Members of the Houſe of Commons of the ſaid Parliament of *England*, and the forty five Members for *Scotland*, ſuch forty five Members being elected and returned in the manner agreed in this Treaty, ſhall aſſemble and meet reſpectively, in the reſpective Houſes of the Parliament of *Great Britain*, at ſuch time and place as ſhall be ſo appointed by her Majeſty, and ſhall be the two Houſes of the firſt Parliament of *Great Britain*; and that Parliament may continue for ſuch time only, as the preſent Parliament of *England* might have continued, if the Union of the two Kingdoms had not been made, unleſs ſooner diſſolved by her Majeſty: And that every one of the Lords of Parliament of *Great Britain*, and every Member of the Houſe of Commons of the Parliament of *Great Britain* in the firſt and all ſucceeding Parliaments of *Great Britain*, until the Parliament of *Great Britain* ſhall otherwiſe direct, ſhall take the reſpective Oaths appointed to be taken, inſtead of the Oaths of Allegiance and Supremacy, by an Act of Parliament made in *England* in the firſt Year of the Reign of the late King *William* and Queen *Mary*, entitled, An Act for the abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths, and make, ſubſcribe and audibly repeat the Declaration mentioned in an Act of Parliament made in *England* in the thirtieth Year of the Reign of King *Charles* the Second, entitled, An Act for the more effectual preſerving the King's Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament; and ſhall take and ſubſcribe the Oath mentioned in an Act of Parliament made in *England* in the firſt Year of her Majeſty's Reign, entitled, An Act to declare the Alterations in the Oath appointed to be taken by the Act, entitled,

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an Act for the further Security of his Majeſty's Perſon, and the Succeſſion of the Crown in the Proteſtant Line, and for extinguiſhing the Hopes of the pretended Prince of WALES, and all other Pretenders and their open and ſecret Abettors; and for declaring the Aſſociation to be determined at ſuch time, and in ſuch manner, as the Members of both Houſes of Parliament of *England* are by the ſaid reſpective Acts directed to take, make and ſubſcribe the ſame, upon the Penalties and Diſabilities in the ſaid reſpective Acts contain'd; and it is declar'd and agreed, that theſe Words, This Realm, the Crown of this Realm, and the Queen of this Realm, mention'd in the Oaths and Declaration contained in the aforeſaid Acts, which were intended to ſignify the Crown and Realm of *England*, ſhall be underſtood of the Crown and Realm of *Great Britain*; and that in that Senſe the ſaid Oaths and Declarations be taken and ſubſcribed by the Members of both Houſes of the Parliament of *Great Britain*. 5 ANNÆ, 1706.

That the aforeſaid ſixteen Peers of *Scotland*, mention'd in the laſt preceding Article to ſit in the Houſe of Lords of the Parliament of *Great Britain*, ſhall have all Privileges of Parliament which the Peers of *England* now have, and which they or any Peers of *Great Britain* ſhall have after the Union, and particularly the Right of ſitting upon the Trial of Peers; and in caſe of the Trial of any Peer in time of Adjournment or Prorogation of Parliament, the ſaid ſixteen Peers ſhall be ſummoned in the ſame manner, and have the ſame Power and Privileges at ſuch Trial, as any other Peers of *Great Britain*: And that in caſe any Trials of Peers ſhall hereafter happen, when there is no Parliament in being, the ſixteen Peers of *Scotland*, who ſat in the laſt preceding Parliament, ſhall be ſummoned in the ſame man- Article 23.

5 ANNÆ, 1706. ner, and have the ſame Powers and Privileges at ſuch Trials, as any other Peer of *Great Britain*: And that all Peers of *Scotland*, and their Succeſſors to their Honour and Dignities, ſhall from and after the Union be Peers of *Great Britain*, and have Rank and Precedency next and immediately after the Peers of the like Orders and Degrees in *England* at the time of the Union, and before all Peers of *Great Britain* of the like Orders and Degrees, who may be created after the Union; and ſhall be tried as Peers of *Great Britain*, and ſhall enjoy all Privileges of Peers, as fully as the Peers of *England* do now, or as they, or any other Peers of *Great Britain* may hereafter enjoy the ſame, except the Right and Privilege of ſitting in the Houſe of Lords, and the Privileges depending thereon, and particularly the Right of ſitting upon the Trials of Peers.

Article 24. That from and after the Union there be one Great Seal for the united Kingdom of *Great Britain*, which ſhall be different from the Great Seal now uſed in either Kingdom. And that the quartering the Arms, and the Rank and Precedency of the Lion King of Arms of the Kingdom of *Scotland*, as may beſt ſuit the Union, be left to her Majeſty; and that, in the mean time, the Great Seal of *England* be uſed as the Great Seal of the united Kingdom; and that the Great Seal of the united Kingdom be uſed for ſealing Writs to elect and ſummon the Parliament of *Great Britain*, and for ſealing all Treaties with foreign Princes and States, and all publick Acts, Inſtruments and Orders of State, which concern the whole united Kingdom, and in all other matters relating to *England*, as the Great Seal of *England* is now uſed: And that a Seal in *Scotland*, after the Union, be always kept and made uſe of in all things relating to private Rights or Grants,

Grants, which have uſually paſs'd the Great Seal of *Scotland*, and which only concern Offices, Grants, Commiſſions, and private Rights within that Kingdom: And that, until ſuch Seal ſhall be appointed by her Majeſty, the preſent Great Seal of *Scotland* ſhall be uſed for ſuch Purpoſes: And that the Privy Seal Signet, Caſſet Signet of the Juſticiary Court, Quarter Seal, and Seals of Courts now uſed in *Scotland*, be continued; but that the ſaid Seals be altered and adapted to the State of the Union as her Majeſty ſhall think fit; and the ſaid Seals, and all of them, and the Keepers of them, ſhall be ſubject to ſuch Regulations as the Parliament of *Great Britain* ſhall hereafter make. And that the Crown, Scepter and Sword of State, the Records of Parliament, and all other Records, Rolls, and Regiſters whatſoever, both publick and private, general and particular, and Warrants thereof, continue to be kept, as they are within that part of the united Kingdom now called *Scotland*, and that they ſhall ſo remain in all time coming, notwithſtanding the Union.

That all Laws and Statutes in either Kingdom, ſo far as they are contrary to, or inconſiſtent with the Terms of theſe Articles, or any of them, ſhall from and after the Union ceaſe and become void; and ſhall be ſo declar'd to be by the reſpective Parliaments of the ſaid Kingdom. Article 25.

As by the ſaid Articles of Union ratified and approv'd by the ſaid Act of Parliament of *Scotland*, relation thereunto being had, may appear; and the Tenor of the aforeſaid Act for ſecuring the Proteſtant Religion, and Preſbyterian Church Government within the Kingdom of *Scotland*, is as follows.

Our Sovereign Lady, and the Eſtates of Parliament, conſidering, that by the late Act of

5 ANNÆ, 1706. Parliament for a Treaty with *England* for an Union of both Kingdoms, it is provided, that the Commiſſioners for that Treaty ſhould not treat of, or concerning any Alteration of the Worſhip, Diſcipline and Government of the Church of this Kingdom, as now by Law eſtabliſhed; which Treaty being now reported to the Parliament, and it being reaſonable and neceſſary, that the true Proteſtant Religion, as preſently profeſs'd within this Kingdom, with the Worſhip, Diſcipline and Government of this Church, ſhould be effectually and unalterably ſecur'd; therefore her Majeſty, with Advice and Conſent of the ſaid Eſtates of Parliament, doth hereby eſtabliſh and confirm the ſaid true Proteſtant Religion, and the Worſhip, Diſcipline and Government of this Church, to continue without any Alteration to the People of this Land in all ſucceeding Generations: And more eſpecially her Majeſty, with Advice and Conſent aforeſaid, ratifies, approves, and for ever confirms the fifth Act of the firſt Parliament of King *William* and Queen *Mary*, entitled, Act ratifying the Confeſſion of Faith, and ſettling Preſbyterian Church Government, with all other Acts of Parliament relating thereto, in proſecution of the Declaration of the Eſtates of this Kingdom, containing the Claim of Right, bearing date the eleventh of *April*, one thouſand, ſix hundred and eighty nine: And her Majeſty, with Advice and Conſent aforeſaid, expreſly provides and declares, That the foreſaid true Proteſtant Religion contain'd in the above mention'd Confeſſion of Faith, with the Form and Purity of Worſhip preſently in uſe within this Church, and its Preſbyterian Church Government and Diſcipline, (that is to ſay) the Government of the Church by Kirk Seſſions, Preſbyteries, Provincial Synods and General Aſſemblies,

blies, all eſtabliſhed by the foreſaid Acts of Parliament, purſuant to the Claim of Right, ſhall remain and continue unalterable; and that the ſaid Preſbyterian Government ſhall be the only Government of the Church within the Kingdom of *Scotland*. And further, for the greater Security of the foreſaid Proteſtant Religion, and of the Worſhip, Diſcipline and Government of this Church as above eſtabliſh'd; her Majeſty, with Advice and Conſent foreſaid, ſtatutes and ordains, That the Univerſities and Colleges of St. *Andrews*, *Glaſgow*, *Aberdeen*, and *Edinburgh*, as now eſtabliſh'd by Law, ſhall continue within this Kingdom for ever; and that in all time coming, no Profeſſors, Principals, Regents, Maſters, or others, bearing Office in any Univerſity, College, or School within this Kingdom, be capable, or be admitted or allowed to continue in the Exerciſe of their ſaid Functions, but ſuch as ſhall own and acknowledge the Civil Government in manner preſcrib'd, or to be preſcrib'd by the Acts of Parliament; as alſo, that before or at their Admiſſions, they do, and ſhall acknowledge and profeſs, and ſhall ſubſcribe to the foreſaid Confeſſion of Faith, as the Confeſſion of their Faith; and that they will practice and conform themſelves to the Worſhip preſently in uſe in this Church, and ſubmit themſelves to the Government and Diſcipline thereof, and never endeavour, directly or indirectly, the Prejudice or Subverſion of the ſame, and that before the reſpective Preſbyteries of their Bounds, by whatſoever Gift, Preſentation or Proviſion they may be thereto provided. And further her Majeſty, with Advice aforeſaid, expreſly declares and ſtatutes, That none of the Subjects of this Kingdom ſhall be liable to, but all and every one of them for ever free of any Oath, Teſt, or Subſcription within this Kingdom,

5 ANNÆ, 1706.

5 ANNÆ. 1706. dom, contrary to, or inconſiſtent with the foreſaid true Proteſtant Religion and Preſbyterian Church Government, Worſhip and Diſcipline, as above eſtabliſh'd: And that the ſame within the Bounds of this Church and Kingdom, ſhall never be impoſed upon, or required of them in any Sort. And laſtly, That after the Deceaſe of her preſent Majeſty (whom God long preſerve) the Sovereign ſucceeding to her in the Royal Government of the Kingdom of *Great Britain*, ſhall in all time coming, at his or her Acceſſion to the Crown, ſwear and ſubſcribe, That they ſhall inviolably maintain and preſerve the foreſaid Settlement of the true Proteſtant Religion, with the Government, Worſhip, Diſcipline, Right, and Privileges of this Church, as above eſtabliſhed by the Laws of this Kingdom, in Proſecution of the Claim of Right.

And it is hereby ſtatute and ordain'd, that this Act of Parliament, with the Eſtabliſhment therein contain'd, ſhall be held and obſerved in all time coming, as a fundamental and eſſential condition of any Treaty or Union to be concluded betwixt the two Kingdoms, without any alteration thereof, or derogation thereto, in any ſort for ever. As alſo that this Act of Parliament, and Settlement therein contain'd, ſhall be inſerted and repeated in any Act of Parliament that ſhall paſs for agreeing and concluding the foreſaid Treaty or Union betwixt the two Kingdoms, and that the ſame ſhall be therein expreſly declar'd to be a fundamental and eſſential condition of the ſaid Treaty or Union in all time coming; which Articles of Union, and Act immediately above written, her Majeſty, with Advice and Conſent aforeſaid, ſtatutes, enacts, and ordains to be and continue in all time coming, the ſure and perpetual Foundation of a complete and entire

tire Union of the two Kingdoms of *Scotland* and *England*, under the expreſs condition and proviſion that this Approbation and Ratification of the foreſaid Articles and Act ſhall be no ways binding on this Kingdom, until the ſaid Articles and Act be ratified, approv'd, and confirm'd by her Majeſty, with and by the Authority of the Parliament of *England*, as they are now agreed to, approv'd and confirm'd by her Majeſty, with and by the Authority of the Parliament of *Scotland*; declaring nevertheleſs, That the Parliament of *England* may provide for the ſecurity of the Church of *England* as they think expedient, to take place within the bounds of the ſaid Kingdom of *England*, and not derogating from the ſecurity above provided, for eſtabliſhing of the Church of *Scotland* within the bounds of this Kingdom. As alſo, the ſaid Parliament of *England* may extend the additions, and other proviſions contain'd in the Articles of Union as above inſerted, in favour of the Subjects of *Scotland*, to and in favour of the Subjects of *England*, which ſhall not ſuſpend or derogate from the force and effect of this preſent Ratification, but ſhall be underſtood as herein included, without the neceſſity of any new Ratification in the Parliament of *Scotland*. 5 ANNÆ, 1706.

And laſtly, her Majeſty enacts and declares, That all Laws and Statutes in this Kingdom, ſo far as they are contrary to, or inconſiſtent with the terms of theſe Articles as above-mentioned, ſhall, from and after the Union, ceaſe and become void.

And whereas an Act hath paſſed in this preſent Seſſion of Parliament, entitled, An Act for ſecuring the Church of *England* as by Law eſtabliſh'd; the tenor whereof follows.

Whereas

5 ANNÆ, 1706. Whereas by an Act made in the Seſſion of Parliament held in the third and fourth year of her Majeſty's Reign, whereby her Majeſty was impowered to appoint Commiſſioners under the Great Seal of *England*, to treat with Commiſſioners to be authorized by the Parliament of *Scotland*, concerning an Union of the Kingdoms of *England* and *Scotland*: It is provided and enacted, That the Commiſſioners to be named, in purſuance of the ſaid Act, ſhould not treat of or concerning any alteration of the Liturgy, Rites, Ceremonies, Diſcipline, or Government of the Church, as by Law eſtabliſh'd within this Realm. And whereas certain Commiſſioners appointed by her Majeſty, in purſuance of the ſaid Act, and alſo other Commiſſioners nominated by her Majeſty, by the Authority of the Parliament of *Scotland*, have met and agreed upon a Treaty of Union of the ſaid Kingdoms; which Treaty is now under the conſideration of this preſent Parliament: And whereas the ſaid Treaty (with ſome alterations therein made) is ratified and approved by Act of Parliament in *Scotland*: And the ſaid Act of Ratification is, by her Majeſty's Royal Command, laid before the Parliament of this Kingdom: And whereas it is reaſonable and neceſſary that the true Proteſtant Religion, profeſs'd and eſtabliſh'd by Law in the Church of *England*, and the Doctrine, Worſhip, Diſcipline, and Government thereof ſhould be effectually and unalterably ſecur'd; Be it enacted by the Queen's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, that an Act made in the Thirteenth year of the Reign of Queen *Elizabeth*, of famous memory, entitled, An Act for the Miniſters

ſters of the Church to be of a ſound Religion. And alſo another Act made in the thirteenth year of the Reign of the late King *Charles* the Second, entitled, An Act for the Uniformity of the publick Prayers and Adminiſtration of Sacraments, and other Rites and Ceremonies, and for eſtabliſhing the form of making, ordaining, and conſecrating Biſhops, Prieſts, and Deacons in the Church of *England* (other than ſuch Clauſes in the ſaid Acts, or either of them, as have been repealed or altered by any ſubſequent Act or Acts of Parliament) and all and ſingular other Acts of Parliament now in force for the Eſtabliſhment and Preſervation of the Church of *England*, and the Doctrine, Worſhip, Diſcipline and Government thereof, ſhall remain and be in full force for ever. 5 ANNÆ, 1706.

And be it farther enacted, by the Authority aforeſaid, That after the demiſe of her Majeſty (whom God long preſerve) the Sovereign next ſucceeding to her Majeſty in the Royal Government of the Kingdom of *Great Britain*, and ſo for ever hereafter, every King or Queen ſucceeding and coming to the Royal Government of the Kingdom of *Great Britain*, at his or her Coronation, ſhall, in the preſence of Perſons who ſhall be attending, aſſiſting, or otherwiſe then and there preſent, take and ſubſcribe an Oath to maintain and preſerve inviolably the ſaid Settlement of the Church of *England*, and the Doctrine, Worſhip, Diſcipline, and Government thereof, as by Law eſtabliſh'd within the Kingdoms of *England* and *Ireland*, the Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, and the Territories thereunto belonging.

And be it further enacted, by the Authority aforeſaid, that this Act, and all and every the

5 ANNÆ. 1706. matters and things therein contained, be, and ſhall for ever be holden and adjudged to be, a fundamental and eſſential part of any Treaty of Union to be concluded between the ſaid two Kingdoms: And alſo that this Act ſhall be inſerted in expreſs terms in any Act of Parliament, which ſhall be made for ſettling and ratifying any ſuch Treaty of Union, and ſhall be therein declar'd to be an eſſential and fundamental part thereof.

May it therefore pleaſe your moſt excellent Majeſty, that it may be enacted, and be it enacted by the Queen's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, that all and every the ſaid Articles of Union, as ratified and approved by the ſaid Act of Parliament of *Scotland* as aforeſaid, and herein before particularly mentioned and inſerted, and alſo the ſaid Act of Parliament of *Scotland* for eſtabliſhing the Proteſtant Religion, and Preſbyterian Church Government within that Kingdom, entitled, Act for ſecuring the Proteſtant Religion, and Preſbyterian Church Government, and every Clauſe, Matter, and Thing in the ſaid Articles and Act contained, ſhall be, and the ſaid Articles and Act are hereby for ever ratified, approved, and confirmed.

And it is hereby farther enacted by the Authority aforeſaid, That the ſaid Act paſſed in this preſent Seſſion of Parliament, entitled, An Act for ſecuring the Church of *England* as by Law eſtabliſh'd, and all and every the matters and things therein contained, and alſo the ſaid Act of Parliament of *Scotland*, entitled, Act for ſecuring the Proteſtant Religion, and Preſbyterian Church Government, with the Eſtabliſhment in the ſaid Act contain'd, be, and ſhall for ever

ever be held and adjudged to be and obſerved, as fundamental and eſſential conditions of the ſaid Union; and ſhall, in all times coming, be taken to be, and are hereby declared to be, eſſential and fundamental parts of the ſaid Articles of Union: And the ſaid Articles of Union ſo, as aforeſaid, ratified, approv'd and confirm'd by Act of Parliament of *Scotland*, and by this preſent Act, and the ſaid Act paſſed in this preſent Seſſion of Parliament, entitled, An Act for ſecuring the Church of *England* as by Law eſtabliſh'd: And alſo the ſaid Act paſſed in the Parliament of *Scotland*, entitled, Act for ſecuring the Proteſtant Religion, and Preſbyterian Church Government, are hereby enacted and ordain'd to be and continue in all times coming, the complete and entire Union of the two Kingdoms of *England* and *Scotland*. 5 Anne. 1706.

And whereas ſince the paſſing the ſaid Act in the Parliament of *Scotland* for ratifying the ſaid Articles of Union, one other Act, entitled, Act ſettling the manner of electing the ſixteen Peers, and forty five Members to repreſent *Scotland* in the Parliament of *Great Britain*, hath likewiſe paſſed in the ſaid Parliament of *Scotland* at *Edinburgh*, the fifth day of *February*, one thouſand ſeven hundred and ſeven; the tenor whereof follows.

Our Sovereign Lady conſidering that by the twenty ſecond Article of the Treaty of Union, as the ſame is ratified by an Act paſſed in this Seſſion of Parliament upon the 16th of *January* laſt, it is provided, That by virtue of the ſaid Treaty of the Peers of *Scotland* at the time of the Union, ſixteen ſhall be the number to ſit and vote in the Houſe of Lords, and forty five the number of the Repreſentatives of *Scotland* in the Houſe of Commons, of the Parliament

5 ANNÆ, 1706. of *Great Britain*, and that the ſaid ſixteen Peers, and forty five Members in the Houſe of Commons, be nam'd and choſen in ſuch manner as by a ſubſequent Act in this preſent Seſſion of Parliament in *Scotland* ſhould be ſettled; which Act is thereby declared to be as valid as if it were a part of, and ingroſſed in, the ſaid Treaty: Therefore her Majeſty, with Advice and Conſent of the Eſtates of Parliament, ſtatutes, enacts, and ordains, That the ſaid ſixeen Peers, who ſhall have a right to ſit in the Houſe of Peers in the Parliament of *Great Britain* on the part of *Scotland* by virtue of this Treaty, ſhall be nam'd by the ſaid Peers of *Scotland*, whom they repreſent, their Heirs or Succeſſors, to the Dignities and Honours out of their own number, and that by open Election and plurality of Voices of the Peers preſent, and of the Proxies for ſuch as ſhall be abſent, the ſaid Proxies being Peers, and producing a Mandate in writing duly ſign'd before Witneſſes, and both the Conſtituent and Proxy being qualify'd according to Law; declaring alſo, that ſuch Peers as are abſent, being qualify'd as aforeſaid, may ſend to all ſuch meetings, Liſts of the Peers whom they judge fitteſt, validly ſign'd by the ſaid abſent Peers, which ſhall be reckoned in the ſame manner as if the Parties had been preſent, and given in the ſaid Liſt. And in caſe of the death, or legal incapacity of any of the ſaid ſixteen Peers, that the aforeſaid Peers of *Scotland* ſhall nominate another of their own number in place of the ſaid Peer or Peers in manner before and after mentioned; and that of the ſaid forty five Repreſentatives of *Scotland* in the Houſe of Commons in the Parliament of *Great Britain*, thirty ſhall be choſen by the Shires or Steuartries, and fifteen by the Royal Burrows, as follows, *viz.* one for every Shire or Steuartry, except-

excepting the Shires of *Bute* and *Cathneſs*, which ſhall chuſe one by turns; *Bute* having the firſt Election. The Shires of *Nairn* and *Cromarty*, which ſhall alſo chuſe by turns; *Nairn* having the firſt Election. And in like manner the Shires of *Clackmanan* and *Kinroſs* ſhall chuſe by turns; *Clackmanan* having the firſt Election. And in caſe of the death, or legal incapacity of any of the ſaid Members from the reſpective Shires or Steuartries above-mentioned, to ſit in the Houſe of Commons, it is enacted and ordain'd, That the Shire or Steuartry who elected the ſaid Member, ſhall elect another Member in his place, and that the ſaid fifteen Repreſentatives for the Royal Burrows, be choſen as follows, *viz.* That the Town of *Edinburgh* ſhall have right to elect and ſend one Member to the Parliament of *Great Britain*, and that each of the other Burghs ſhall elect a Commiſſioner in the ſame manner as they are now in uſe to elect Commiſſioners to the Parliament of *Scotland*; which Commiſſioners and Burghs (*Edinburgh* excepted) being divided in fourteen Claſſes or Diſtricts, ſhall meet at ſuch time and Burghs within their reſpective Diſtricts, as her Majeſty, her Heirs or Succeſſors ſhall appoint, and elect one for each Diſtrict, *viz.* The Burghs of *Kirkwall*, *Week*, *Dornock*, *Dingwall*, and *Taine*, one; the Burghs of *Fotroſe*, *Inverneſs*, *Nairn*, and *Forreſs*, one; the Burghs of *Elgin*, *Cullen*, *Banff*, *Inverary*, and *Kintore*, one; the Burghs of *Aberdeen*, *Inverbervy*, *Montroſe*, *Aberbrothock*, and *Brothine*, one; the Burghs of *Forfar*, *Perth*, *Dundee*, *Coupar*, and *St. Andrews*, one; the Burghs of *Craill*, *Kilrennie*, *Anſtruther Eaſter*, *Anſtruther Weſter*, and *Pittenweem*, one; the Burghs of *Dyſart*, *Kirkaldie*, *Kinghern*, and *Bruntiſland*, one; the Burghs of *Innerkithen*, *Dunfermline*, *Queensferry*, *Cultroſs*, and *Sterling*, one;

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ing the growth of Popery: And also declaring, That none shall be capable to elect or be elected to represent a Shire or Burgh in the Parliament of *Great Britain* for this part of the united Kingdom, except such as are now capable, by the Laws of this Kingdom, to elect or be elected as Commissioners for Shires or Burghs to the Parliament of *Scotland*. And farther, her Majesty, with Advice and Consent aforesaid, for the effectual and orderly Election of the Persons to be chosen to sit, vote, and serve in the respective Houses of the Parliament of *Great Britain*, when her Majesty, her Heirs and Successors, shall declare her or their pleasure for holding the first, or any subsequent Parliament of *Great Britain*, and when for that effect a Writ shall be issued out under the Great Seal of the united Kingdom, directed to the Privy Council of *Scotland*, conform to the said twenty second Article, statutes, enacts, and ordains, That until the Parliament of *Great Britain* shall make further provision therein, the said Writ shall contain a Warrant and Command to the said Privy Council to issue out a Proclamation in her Majesty's name, requiring the Peers of *Scotland* for the time, to meet and assemble at such time and place within *Scotland*, as her Majesty and Royal Successor shall think fit, to make Election of the said sixteen Peers; and requiring the Lord Clerk-Register, or two of the Clerks of Session, to attend all such meetings, and to administer the Oaths that are or shall be by Law required, and to ask the votes, and having made up the Lists in presence of the Meeting, to return the names of the sixteen Peers chosen (certified under the Subscription of the said Lord Clerk-Register, Clerk or Clerks of Session attending) to the Clerk of the Privy Council of *Scotland*; and in

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Houſes for and on the part of *England*, her Majeſty with Advice and Conſent aforeſaid, in that caſe only, doth hereby ſtatute and ordain, That the ſixteen Peers and forty five Commiſſioners for Shires and Burghs who ſhall be choſen by the Peers, Barons, and Burghs reſpectively in this preſent Seſſion of Parliament, and out of the Members thereof in the ſame manner as Committees of Parliament are uſually now choſen, ſhall be the Members of the reſpective Houſes of the ſaid firſt Parliament of *Great Britain*, for and on the part of *Scotland*; which Nomination and Election being certified by a Writ, under the Lord Clerk Regiſter's Hand, the Perſon ſo nominated and elected, ſhall have Right to ſit and vote in the Houſe of Lords, and in the Houſe of Commons of the ſaid firſt Parliament of *Great Britain*, as by the ſaid Act paſs'd in *Scotland*, for ſettling the manner of electing the ſixteen Peers and forty five Members to repreſent *Scotland* in the Parliament of *Great Britain*, may appear. Be it therefore further enacted and declared, by the Authority aforeſaid, That the ſaid laſt mention'd Act paſs'd in *Scotland* for ſettling the manner of electing the ſixteen Peers and forty five Members to repreſent *Scotland* in the Parliament of *Great Britain*, as aforeſaid, ſhall be, and the ſame is hereby declar'd to be, as valid as if the ſame had been part of, and engroſs'd in, the ſaid Articles of Union, ratified and approved by the ſaid Act of Parliament of *Scotland*, and by this Act as aforeſaid. 5 ANNÆ. 1706.

Poſterity may think it ſtrange, that this Act ſhould paſs ſo currently the Parliament of both Kingdoms, when a Majority in each Nation ſeem'd to be againſt it; but this is eaſily accounted for, if what a Member of the Commons ſaid be true, (*viz.*) That the leading Men in *Scot-*

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land were bought, and that the *Engliſh* Miniſtry were under a Neceſſity of procuring a Union to ſave their Heads; having adviſ'd or ſuffer'd ſome Acts to paſs in *Scotland*, which might have endanger'd their own Country, if this Expedient had not been found out.

The Queen, in her Speech at the riſing of this Parliament, told them, ſhe thought it expedient, that the Lords of the Parliament of *England*, and the Commons of the preſent Parliament of *England*, ſhould be the Members of the reſpective Houſes of the firſt Parliament of *Great Britain*, on the part of *England*; and that ſhe intended, within the time limited, to publiſh a Proclamation for that purpoſe, purſuant to the Powers given her by the Acts of Parliament of both Kingdoms, ratifying the Treaty of Union.

Some account of the French *Prophets.*

This Year three Fellows arriv'd in *England*, pretending to be Prophets; they were found to be *French* Hugonots, and ſuch Enthuſiaſts, that, like our Quakers, every thing they utter'd they would have the People believe was dictated by the Holy Ghoſt; with theſe join'd ſeveral of their Brethren *in Salvo*, and many of our *Britiſh* Enthuſiaſts, and pretended to be agitated in a ſupernatural manner, after the Pattern our primitive Quakers had ſet them; they drew Multitudes of People after them, ſome to gaze, and ſome for other Ends; and made two Gentlemen of good Eſtates (*viz.*) Sir *John Buckley*, and *John Lacey*, Eſquires, their Diſciples, who gave them ſome Credit with the People: And had they not taken upon them to denounce Judgments againſt our Governors, I don't ſee why they might not have eſtabliſhed themſelves, as well as any other Sect among us. They ſtiled themſelves Proteſtants, and under that Denomination had as good a Right to utter Blaſphemy, as their Brethren who aſſume

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the ſame Title; and I believe this is the only Sect that ever miſs'd a kind Entertainment in *England*. *Elias Marion* the Principal was indicted and convicted of pretending himſelf to be a true Prophet, and printing and uttering many things as dictated and reveal'd to him by the Holy Spirit; and *John Aude* and *Nicholas Facio* were convicted of abetting and aſſiſting him in the printing and publiſhing theſe Blaſphemies, for which they were fin'd twenty Marks each, and adjudg'd to be expos'd on a Scaffold at *Charing Croſs*, and the *Royal Exchange*, with a Paper on their Hats ſignifying their Crime, which having undergone, they remov'd to *North Britain*, where they hop'd to find a more favourable Reception. 5 ANNÆ. 1706.

Acts paſſed *Anno* 5to *Annæ* Parl. 2. Seſſ. 2.

An Act for granting an Aid to her Majeſty by a Land-Tax to be rais'd in the Year, 1707. Cap. 1.

By this Act 4 *s.* in the Pound is again laid upon Land.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year 1707. Cap. 2.

An Act for the ſettling of the Honours and Dignities of *John* Duke of *Marlborough* upon his Poſterity, and annexing the Honour and Manor of *Woodſtock* and Houſe of *Blenheim* to go along with the ſaid Honours. Cap. 3.

An Act for ſettling upon *John* Duke of *Marlborough* and his Poſterity a Penſion of 5000 *l. per Annum*, for the more honourable Support of their Dignities, in like manner as his Honours and Dignities, and the Honour and Manor of *Woodſtock* and Houſe of *Blenheim*, are already limited and ſettled. Cap. 4.

Moſt Gracious Sovereign, Whereas the moſt noble *John*, Duke of *Marlborough*, was, by ſeveral *Preamble to the Act for ſettling*

5 ANNÆ, 1706. Letters Patents created Baron *Churchill* of *Sandridge*, and Earl of *Marlborough* to him and the Heirs Males of his Body; and by other Letters Patents bearing Date the 14th Day of *December*, in the first Year of your Majesty's Reign, in consideration of his great and eminent Services to your Majesty, and your Allies, as well by his prudent Negotiations, as your Majesty's Plenipotentiary at the *Hague*; where, to the mutual Advantage of your Majesty and the States General of the United Provinces, he settled an entire Confidence between your Majesty and the States General, as by his Valour and good Conduct in the Command of the confederate Armies Abroad, was created Marquis of *Blanford* and Duke of *Marlborough*, to him and the Heirs Males of his Body: And whereas by other Letters Patents under the Great Seal of *England*, bearing date the 22d day of *December* in the first year of your Majesty's Reign, your Majesty was graciously pleased, as a farther Mark of your Royal Favour and Satisfaction with his Services aforesaid, and for the better Support of his said Dignity, to give and grant unto the said Duke of *Marlborough* one Annuity or yearly Pension of 5000 *l.* of lawful *English* Money, to be issuing and paying out of the Rents, Issues, Profits, Incomes, Revenues, Sum and Sums of Money whatsoever, due and payable, or which should from time to time arise, grow due, or be payable out of, by, or in respect of your Majesty's General Letter, Office, or Post-Office, or Office of Post Master General, or for or by reason of the Postage or Carriage of Letters, Packets, or other things within your Majesty's Kingdom of *England*, or elsewhere, to have, receive and enjoy the said Annuity or yearly Pension of five thousand Pounds unto the said *John* Duke of *Marlborough*, and the Heirs Males of his

5000 *l.* per Annum *upon the Duke of* Marlboro' *and his Posterity, wherein his Battels and other Actions are recited.*

his Body for and during your Majeſty's natural Life, the ſame to be computed from the Feaſt of *Michael* the Archangel then laſt paſt, and to be paid quarterly at the four moſt uſual Feaſts, or Terms in the Year, (that is to ſay) the Feaſt of the Birth of our Lord Chriſt, the Annunciation of the Bleſſed Virgin *Mary*, the Nativity of S. *John* the Baptiſt, and S. *Michael* the Archangel, by even and equal Portions; and whereas an Act paſſed in the third Year of your Majeſty's Reign, entitled, An Act for the better enabling her Majeſty to grant the Honour and Manor of *Woodſtock*, with the Hundred of *Wootton*, to the Duke of *Marlborough*, and his Heirs, in Conſideration of the eminent Services by him performed to her Majeſty and the Publick; wherein it is mention'd and recited, that the eminent and unparallel'd Services of the ſaid Duke to your Majeſty and the Crown of *England* were well known, not only to your Majeſty and all your Subjects, but to all *Europe*; and that the Alliances, which your Majeſty's Royal Brother King *William* the Third, of glorious Memory, had in a little time before his Death contracted by the Miniſtry of the ſaid Duke as his Majeſty's Ambaſſador Extraordinary and Plenipotentiary to the States General of the United Provinces, for preſerving the Liberties of *Europe* againſt the Ambition of *France*, were immediately after your Majeſty's happy Acceſſion to the Throne, by the ſaid Duke then employ'd by your Majeſty in the ſame Character confirm'd and improv'd; and that others were contracted, whereby the Confederacy which had been diſſolved at the End of the laſt War, was re-united in a ſtricter and firmer League: And that in the firſt Year of your Majeſty's Reign, the ſaid Duke of *Marlborough* has ſo well executed his Commiſſion of Captain General, and Commander in Chief

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5 ANNA. 1706. Chief of your Majeſty's Forces, that he not only ſecur'd and extended the Frontier of *Holland*, by taking the Towns and Fortreſſes of *Venlo*, *Ruremond*, *Stevenſwaert*, and *Liege*; but ſoon oblig'd the Enemy (who had been at the Gates of *Nimeguen*) to ſeek Shelter behind their Lines: And in the next Campaign, by taking *Bon*, *Huy*, and *Limbergh*, added all the Country between the *Rhine* and the *Maes* to the Conqueſts of the preceding Year: And that in the memorable Year 1704, when your Majeſty was generouſly pleas'd to take the Reſolution of reſcuing the Empire from that immediate Ruin, to which by the Defection of the Elector of *Bavaria* it was expos'd; the Meaſures, which by your Majeſty's Wiſdom and Goodneſs had been deviſ'd and concerted, were purſu'd by the ſaid Duke with the utmoſt Diligence, Secrecy and good Conduct, in leading the Forces of your Majeſty and your Allies, by a long and difficult March, to the Banks of the *Danube*, where the ſaid Duke immediately upon his Arrival did attack, and forced the *Bavarians* (aſſiſted by the *French*) in their ſtrong Intrenchments at *Schellenbergh*, paſs'd the *Danube*, diſtreſs'd the Country of *Bavaria*, and a ſecond time fought the Enemy, who had been reinforc'd by a Royal Army of the *French* King's beſt Troops, commanded by a Marſhal of *France*: And on the ſecond Day of *Auguſt*, 1704, after a bloody Battel at *Blenheim* (although the Enemy had the Advantage of Number and Situation) gain'd the moſt abſolute and glorious Victory as had been recorded in the Hiſtory of any Age; by which *Bavaria* being entirely reduc'd, and *Ratiſbon*, *Augsbourgh*, *Ulm*, *Memminghen*, and other Imperial Towns recover'd, the Liberty of the Diet and the Peace of the Empire were reſtored, and *Landau*, *Treves* and *Traerbach* being taken,

taken, the War was carried into the Dominions of *France*. All which happy Atchievements of the ſaid Duke apparently tended not only to the Honour and Safety of your Majeſty and your Subjects, and of their Poſterity, but alſo towards the future Tranquillity of *Europe*. And that your Majeſty's moſt dutiful and Loyal Subjects, the Commons of *England* in Parliament aſſembled, thought themſelves thereupon oblig'd, in an humble Addreſs to your Majeſty, to expreſs their Senſe of the ſaid glorious Victories, and humbly to deſire your Majeſty, that you would be graciouſly pleas'd to conſider of ſome proper Means to perpetuate the Memory of ſuch ſignal Services; and that your Majeſty thereupon pleas'd to ſignify your Intention to grant the Intereſt of the Crown in the Honour and Manor of *Woodſtock*, and Hundred of *Wootton*, to the ſaid Duke and his Heirs; whereupon, at the humble Petition of your Majeſty's moſt dutiful and loyal Commons, it was enacted, That it ſhould and might be lawful to and for your Majeſty, by any Letters Patents under the Great Seal of *England*, to give and grant unto the ſaid *John* Duke of *Marlborough* and his Heirs and Aſſigns for ever, all that the ſaid Honour and Manor of *Woodſtock*, and Hundred of *Wootton*, and the Park of *Woodſtock* in the County of *Oxon*; and divers other Manors Meſſuages, Lands, Tenements, and Hereditaments in the ſaid recited Act particularly mention'd or deſcribed; to be held of your Majeſty, your Heirs and Succeſſors, as of your Caſtle of *Windſor* in Fee and common Soccage; by Fealty rendring to your Majeſty, your Heirs and Succeſſors on the ſecond day of *Auguſt* yearly for ever at your ſaid Caſtle of *Windſor*, one Standard or Colours with three Flower-de-luces painted thereupon, for all manner of Rents, Services, Exactions and Demands whatſoever: In Purſuance

5 Ann. 1706.

5 ANNÆ, 1706. ſuance of which ſaid Act of Parliament, your Majeſty by your Letters Patents bearing date the fifth day of *May* in the fourth year of your Majeſty's Reign, was graciouſly pleaſed to grant all that the ſaid Honour and Manor of *Woodſtock* and Hundred of *Wootton*, and divers other Manors, Meſſuages, Lands, Tenements and Hereditaments in the ſaid Letters Patents particularly mentioned or deſcribed, to the ſaid Duke of *Marlborough*, his Heirs and Aſſigns forever; And whereas in the beginning of the year 1705, the ſaid Duke of *Marlborough* led your Majeſty's Forces and thoſe of the Allies to the *Moſelle*, where, by the Progreſs made in the preceding year, a fair Proſpect was afforded of removing the War from the Countries of your Allies into the Enemy's own Territories; but that great Deſign, through unforſeen Accidents, was rendred impracticable; and the Enemy taking Advantage of the Remoteneſs of your ſaid General, and the Troops under his Command, preſs'd the Armies of the States General, which were left for the Defence of their Frontiers, with a ſuperior Force: On this extraordinary Occaſion, the Duke ſhar'd all the Parts of a great Captain; and at the ſame time, the Zeal he had for your Majeſty's Service, and true Regard to your Allies, by a ſpeedy March he returned to the *Maes*, where a new Face of Affairs immediately appear'd; and your Majeſty's good Allies, the States General, were delivered from the Uneaſineſs they were under; *Liege* was reliev'd, *Huy* was retaken, and the Enemies oblig'd to retire behind their Lines, which they thought impregnable. But the ſaid Duke, with a ſurpriſing Conduct and Bravery, on the ſeventh day of *July* 1705, with an inconſiderable Loſs, forced the ſame, defeated great part of the Enemy's Forces, and oblig'd their whole Army to a precipitate Retreat;

Retreat; and although all the Advantages were not obtain'd, which the Duke had propos'd to himſelf from that Succeſs, yet it confirmed the minds of your Majeſty's Allies, and produc'd that happy conſequence of the Duke's being entruſted with ſuch a power, as gave him an opportunity of performing thoſe great Actions which were executed in the laſt glorious Campaign; in which the Enemy confiding in the ſuperiority of their Army, compos'd of their choiceſt Troops, gave the Duke of *Marlbro'* an opportunity of attacking them; which he did at *Rammelies* on the 12th day of *May* 1706, with ſuch reſolution and conduct, that in two hours time he obtain'd a moſt compleat and glorious Victory, and proſecuted his advantage without any intermiſſion during the whole Campaign. The Battel of *Rammelies* was follow'd by the immediate ſurrender of *Louvain*, *Bruſſels*, *Malines*, *Liere*, *Ghent*, *Oudenarde*, *Antwerp*, *Dam*, *Bruges*, and *Courtray*, and the taking of *Oſtend*, *Menin*, *Dendermond*, and *Aeth*; moſt of which had heretofore employ'd the greateſt Generals whole Campaigns in their Sieges; and thus almoſt the entire *Spaniſh Netherlands*, which had been contended for ſo many years, were conquer'd in one Summer. 5 ANNÆ, 1706.

An Act for ſecuring the Church of *England*, as by Law eſtabliſh'd. Cap. 5.

See the Act of Union before.

An Act for repealing a Clauſe in an Act, entitled, An Act for the better apprehending, proſecuting, and puniſhing Felons that commit Burglaries, Houſe-breaking, or Robberies in Shops, Warehouſes, Coach-houſes or Stables, or that ſteal Horſes. Cap. 6.

An Act for regulating and aſcertaining the Duties to be paid by the Unfreemen, Importers of Coals into the Port and Borough of Great *Yarmouth*, in the County of *Norfolk*. Cap. 7.

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5 ANNÆ, 1706. An Act for an Union of the two Kingdoms of *England* and *Scotland*.

Cap. 8. See the Act of Union before.

Cap. 9. An Act for rendring more effectual an Act paſſed in the firſt year of her Majeſty's Reign, entitled, An Act for the better preventing the Eſcapes out of the *Queen's-Bench*, and *Fleet Priſon*.

Cap. 10. An Act for repairing the Highways between *Hockliffe* and *Woborne*, in the County of *Bedford*.

Cap. 11. An Act for continuing the Acts formerly made for repairing of the Highways in the County of *Hertford*.

Cap. 12. An Act for enlarging the Paſſage leading to New-Palace-Yard, thro' the Gate-houſe, *Weſtminſter*.

Cap. 13. An Act for continuing the Duties upon Houſes, to ſecure a yearly Fund for circulating Exchequer-Bills, whereby a ſum not exceeding fifteen hundred thouſand pounds, intended to be raiſed for carrying on the War, and other her Majeſty's occaſions.

Cap. 14. An Act for the better preſervation of the Game.

Cap. 15. An Act for the better recruiting her Majeſty's Land Forces, and the Marines, for the year 1707.

Cap. 16. An Act for continuing an Act made in the third and fourth years of her Majeſty's Reign, entitled, An Act for puniſhing Mutiny and Deſertion, and falſe Muſters, and for the better payment of the Army and Quarters.

Cap. 17. An Act to repeal all the Laws, prohibiting the Importation of Foreign Lace made with Thread.

Cap. 18. An Act for Inrolments of Bargains and Sales within the Weſt Ridings of the County of *York*, in the Regiſter Office there lately provided, and for making the ſaid Regiſter more effectual.

Cap. 19. An Act for continuing the Duties on low Wines, and Spirits of the firſt Extraction, and the Duties payable by Hawkers, Pedlars, and Petty Chapmen, and part of the Duties on ſtampt Vellum, Parchment, and Paper, and the late Duties on Sweets,

and

and the one third Subſidy of Tunnage and Poundage, and for ſettling and eſtabliſhing a Fund thereby, and by the application of certain overplus Monies and otherwiſe, for payment of Annuities, to be ſold for raiſing a farther Supply to her Majeſty for the ſervice of the year 1707, and other uſes therein expreſs'd. 5 ANNÆ, 1706.

An Act for the better encouragement of the Royal Luſtring Company. Cap. 20.

An Act for repairing the Highway between *Fornhill* in the County of *Bedford*, and the Town of *Stony Stratford* in the County of *Buckingham*. Cap. 21.

An Act to explain and amend an Act of the laſt Seſſion of Parliament, for preventing Frauds frequently committed by Bankrupts. Cap. 22.

An Act to ſubject the Eſtate of *Thomas Brerewood*, to the Creditors of *Thomas Pitkin*, notwithſtanding any Agreement or Compoſition made by the Creditors of the ſaid *Thomas Pitkin*. Cap. 23.

An Act for diſcharging ſmall Livings from their firſt Fruits and Tenths, and all Arrears thereof. Cap. 24.

By this Act all Benefices with Cure, where the improv'd value does not exceed 50 *l. per Annum*, are diſcharg'd from paying Firſt-fruits and Tenths.

An Act for making the Acts more effectual for appropriating the forfeited Impropriations in *Ireland*, for the building of Churches, and augmenting poor Vicarages there. Cap. 25.

An Act for repairing the Highways between *Shepherds Shord*, and the *Devizes*, and between the top of *Aſhlington-Hill*, and *Rowd Ford*, in the County of *Wilts*. Cap. 26.

An Act for continuing ſeveral Subſidies, Impoſitions, and Duties, and for making Proviſions therein mentioned, to raiſe Money by way of Loan for the ſervice of the War, and other her Majeſty's neceſſary and important occaſions, and for aſcertaining the Wine Meaſure. Cap. 27.

5 ANNÆ. 1706. Cap. 28. An Act for raiſing the Militia for the year 1707, notwithſtanding the Month's Pay formerly advanc'd be not repaid, and for an account to be made of Trophy Monies.

Cap. 29. An Act for eaſe of her Majeſty's Subjects in relation to the Duties upon Salt, and for making the like Allowances upon the Exportation of white Herrings, Fleſh, Oatmeal, and Grain called Beer, *alias* Bigg, as are to be made upon Exportation of the like from *Scotland*.

Cap. 30. An Act for the better ſecuring her Majeſty's purchaſe of *Cotton-Houſe*, *Weſtminſter*.

Cap. 31. An Act for the encouraging the diſcovery and apprehending of Houſe-breakers.

Cap. 32. An Act for the continuance of the Laws for the puniſhing of Vagrants, and for making ſuch Laws more effectual.

Cap. 33. An Act for obliging *John Rite* to account for Debentures granted to him in the laſt Seſſion of Parliament.

Cap. 34. An Act for continuing the Laws therein mentioned relating to the Poor, and to the buying and ſelling of Cattel in *Smithfield*, and for ſuppreſſing of Piracy.

FINIS.